Soc Studies 30-2 Resources for 5.7

2 links from Loise for mod 5 I think

[http://www.helplinelaw.com/law/sweden/constitution/constitution02.php](https://owa.ecsd.net/owa/redir.aspx?C=69YrZCYrfEqorPQDJvEqhrIF8birXNEI5MMEJajk2kQJeUrjv-aMWHokWPBko1hrrQ8Zz8m0n58.&URL=http%3a%2f%2fwww.helplinelaw.com%2flaw%2fsweden%2fconstitution%2fconstitution02.php)

[http://www.tep-online.info/laku/usa/rights.htm](https://owa.ecsd.net/owa/redir.aspx?C=69YrZCYrfEqorPQDJvEqhrIF8birXNEI5MMEJajk2kQJeUrjv-aMWHokWPBko1hrrQ8Zz8m0n58.&URL=http%3a%2f%2fwww.tep-online.info%2flaku%2fusa%2frights.htm)

Rule of Law U.S.A.

All government officers of the [United States](http://en.wikipedia.org/wiki/United_States), including the [President](http://en.wikipedia.org/wiki/President_of_the_United_States), the [Justices of the Supreme Court](http://en.wikipedia.org/wiki/List_of_Justices_of_the_Supreme_Court_of_the_United_States), and all [members of Congress](http://en.wikipedia.org/wiki/United_States_Congress), pledge first and foremost to uphold the[Constitution](http://en.wikipedia.org/wiki/United_States_Constitution). These oaths affirm that the rule of law is superior to the rule of any human leader.[[34]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-34) At the same time, the [federal government](http://en.wikipedia.org/wiki/Federal_government_of_the_United_States) has considerable discretion: the legislative branch is free to decide what statutes it will write, as long as it stays within its[enumerated powers](http://en.wikipedia.org/wiki/Enumerated_powers) and respects the constitutionally protected [rights of individuals](http://en.wikipedia.org/wiki/United_States_Bill_of_Rights). Likewise, the judicial branch has a degree of [judicial discretion](http://en.wikipedia.org/wiki/Judicial_discretion),[[35]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-35) and the executive branch also has various discretionary powers including [prosecutorial discretion](http://en.wikipedia.org/wiki/Prosecutorial_discretion).

Scholars continue to debate whether the U.S. Constitution adopted a particular interpretation of the "rule of law," and if so, which one. For example, Law Professor John Harrison asserts that the word "law" in the Constitution is simply defined as that which is legally binding, rather than being "defined by formal or substantive criteria," and therefore judges do not have discretion to decide that laws fail to satisfy such unwritten and vague criteria.[[36]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-36) Law Professor [Frederick Mark Gedicks](http://en.wikipedia.org/wiki/Frederick_Mark_Gedicks) disagrees, writing that [Cicero](http://en.wikipedia.org/wiki/Cicero" \o "Cicero),[Augustine](http://en.wikipedia.org/wiki/Augustine), [Thomas Aquinas](http://en.wikipedia.org/wiki/Thomas_Aquinas), and the framers of the U.S. Constitution believed that an unjust law was not really a law at all.[[37]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-37)

Some modern scholars contend that the rule of law has been corroded during the past century by the instrumental view of law promoted by [legal realists](http://en.wikipedia.org/wiki/Legal_realism) such as [Oliver Wendell Holmes](http://en.wikipedia.org/wiki/Oliver_Wendell_Holmes,_Jr.) and [Roscoe Pound](http://en.wikipedia.org/wiki/Roscoe_Pound). For example, Professor Brian Tamanaha asserts: "The rule of law is a centuries-old ideal, but the notion that law is a means to an end became entrenched only in the course of the nineteenth and twentieth centuries."[[38]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-38)

[James Wilson](http://en.wikipedia.org/wiki/James_Wilson) said during the [Philadelphia Convention](http://en.wikipedia.org/wiki/Philadelphia_Convention) in 1787 that, "Laws may be unjust, may be unwise, may be dangerous, may be destructive; and yet not be so unconstitutional as to justify the Judges in refusing to give them effect." [George Mason](http://en.wikipedia.org/wiki/George_Mason) agreed that judges "could declare an unconstitutional law void. But with regard to every law, however unjust, oppressive or pernicious, which did not come plainly under this description, they would be under the necessity as judges to give it a free course."[[39]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-39) Chief Justice [John Marshall](http://en.wikipedia.org/wiki/John_Marshall) (joined by Justice [Joseph Story](http://en.wikipedia.org/wiki/Joseph_Story)) took a similar position in 1827: "When its existence as law is denied, that existence cannot be proved by showing what are the qualities of a law."[[40]](http://en.wikipedia.org/wiki/Rule_of_law#cite_note-40)

http://en.wikipedia.org/wiki/Rule\_of\_law

Rule of law in China

One of the most commonly used phrases in contemporary China, by legal scholars and politicians alike, is fǎzhì (法治). Fǎzhì can be translated into English as [“rule of law”](http://en.wikipedia.org/wiki/Rule_of_law), but questions have often been asked whether Chinese leaders meant "rule by law", which means the instrumental use of laws by rules to facilitate social control and to impose punishment as understood in the Legalist tradition.[[16]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-16) The related concepts of yǐ fǎzhì guó (以法治国: "governing the nation in accordance with law") and jiànshè shèhuì zhǔyì fǎzhì guójiā (建设社会主义法制国家: "building a socialist rule of law state") have been part of the [Chinese Communist Party](http://en.wikipedia.org/wiki/Chinese_Communist_Party)'s official policy since the mid-1990s. In 1999, the NPC adopted an amendment to the Chinese Constitution, incorporating both concepts in Article 5.

The existence of the rule of law in China has been widely debated.[[17]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-17) When discussing Chinese law, it is worth noting that various expressions have been used, including “strengthening the law,” “tightening up the legal system,” “abiding by the law in administration,” “rule by law,” and the “rule of law” Different shades of meanings have been attached to each of these terms, but Chinese officials and scholars have employed the expressions rather loosely and sometimes interchangeably.[[18]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-The_2000-18) However, the central government had originally preferred the expression, “strengthening the law/legal system” to “the rule of law”. It was thought that the latter might give a controversial connotation of the instrumentality, while the former conveyed a straightforward meaning of strengthening the law and institutions. “Strengthening the law” meant reform of legislation and [enforcement of laws](http://en.wikipedia.org/wiki/Law_enforcement_in_the_People%27s_Republic_of_China).[[18]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-The_2000-18) There are differing theories of the rule of law. One theory is the "thin", or formal, theory of rule of law, and the other is the "thick" theory.

The "thin" theory of rule of law is described by Randall Peerenboom as at the basest level incorporating a legal system that imposes meaningful restraints on the state and individuals in ruling power, that the law is supreme, and that all citizens are equal before the law (Peerenboom, 2). According to Lon Fuller’s account of thin theory, rule of law exists in a society when the laws of that society are “general, public, prospective, clear, consistent, capable of being followed, stable, and enforced” (Peerenboom, 3). The thin theory has also been explained by Joseph Raz as emphasizing the formal or instrumental aspects of a legal system regardless of whether it is part of a particular political structure, i.e. a democratic or non-democratic society.[14] Thick theory rule of law espouses all the elements of thin theory in addition imposes a political, social, and economic concept into the rule of law. The [rule of law](http://en.wikipedia.org/wiki/Rule_of_law) is regarded by some as presupposing political or economic structures of [liberal democracy](http://en.wikipedia.org/wiki/Liberal_democracy), [human rights](http://en.wikipedia.org/wiki/Human_rights) and other ideal socio-legal order.[11] Some scholars believe that given China's socialist and non-democratic political system and practice, it is at best regarded as a country of rule by law with law used by the state as an instrument for social control.[12] However, others rely on the formal or thin theory of rule of law to interpret fazhi as a legal reality in China.[13] Additionally, some believe that China may still fall short of the thin theory of rule of law.

Of particular relevance to the second principle set out above, was the enactment of the Administrative Permission Law of the PRC (APL) on 27 August 2003, effective from July 2004. The APL for the first time requires all laws and regulations that subject any civil act to approval requirements to be published.[[19]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-China_Briefing_Business_Guide:_North_East_China-19)

The APL also provides that only those laws adopted by the National People’s Congress or its Standing Committee, administrative regulations promulgated by the State Council, and local regulations adopted by the local people’s congresses may impose administrative approval requirements. Individual ministries or agencies (central or local) do not have such powers except in specified circumstances. This is consistent with the hierarchy of laws and regulations provided under the Legislative Law of the PRC. The enactment of the APL represents an encouraging step forward.[[19]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-China_Briefing_Business_Guide:_North_East_China-19)

Despite the newly elevated role of courts in Chinese society, there still remains some consensus about defects in China’s legal system in regards to progressing towards the rule of law. Scholars point to the following defects as slowing movement toward rule of law. These include:

* First, the [National People’s Congress](http://en.wikipedia.org/wiki/National_People%E2%80%99s_Congress) is ineffective at executing its constitutional duty to legislate and supervise the government.[[20]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-20)
* Second, the [Chinese Constitution](http://en.wikipedia.org/wiki/Constitution_of_the_People%27s_Republic_of_China) is not treated as the supreme law, nor is it enforced.[[21]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-21)
* Third, the judiciary is not independent from political pressure. On the other hand, direct intervention in particular cases by the CCP has lessened in recent years, as has the direct influence of the CCP on the legislative process.[[22]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-22)
* Fourth, there is a high level of corruption among public officials. Personal favors, bribery, and taking of public monies are all too common at all levels of government.[[23]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-23)
* Finally, the legal profession is inadequate for lack of qualified attorneys and judges.[[24]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-24) This failure is being remedied by legislation aimed at instituting higher educational standards for judges, opening more courts and law schools throughout China.[[25]](http://en.wikipedia.org/wiki/Chinese_law#cite_note-25)

In the 2000s, the [Weiquan movement](http://en.wikipedia.org/wiki/Weiquan_movement" \o "Weiquan movement) began in the PRC, seeking to advance citizens' rights partly by petitioning for enforcement of existing laws, and partly through activism. Lawyers in the movement have seen some court victories, but in other cases they are unsuccessful.

http://en.wikipedia.org/wiki/Chinese\_law#Rule\_of\_law

**Rule of Law Index 2014**

**Sweden** is ranked in the 3rd position worldwide and places in

the top 5 in six dimensions and in the top 10 in the other two,

with a performance similar to that of last year. Government

accountability is strong (ranking 3rd overall), corruption is

minimal (ranking 4th overall), and fundamental rights are

strongly protected (ranking 1st overall). In addition, the country’s

administrative agencies and courts are rated among the most

effective and transparent in the world. Notwithstanding

these strengths, some concerns remain with regard to police

discrimination against foreigners and ethnic minorities, perceived

delays in court processes and difficulties in bringing offenders to justice.

http://worldjusticeproject.org/sites/default/files/files/wjp\_rule\_of\_law\_index\_2014\_report.pdf

**China** is ranked in the 76th position globally. It scores

well on public safety, ranking 29th overall and 4th among

its income peers, marking a slight improvement from last

year. The delivery of criminal justice is relatively effective,

but compromised by political interference. Civil justice is

relatively speedy and accessible, but vulnerable to corruption

and improper government influence. Constraints on government powers are ineffective

(ranking 92nd globally). Protection of fundamental rights is weak, ranking 96th

globally, notably due to substantial limitations on freedom of

speech and freedom of assembly

**The United States** ranks 19th overall, with a relatively uniform

performance across all dimensions of the rule of law. The country

maintains a well-functioning system of checks and balances

(ranking 20th), in spite of a slight relative decline during the

past year. The United States scores well in the areas of Open

Government (ranking 17th) and Order and Security (ranking 18th) with a significant

improvement from the previous

measurement. Protection of fundamental rights is strong,

particularly with regard to the rights of association, opinion and

expression, and freedom of religion. The country underperforms

income and regional peers in the protection of the right to

privacy, due process of law and fundamental labor rights. The

judicial system is independent and free of undue influence, but

it lags behind its peers in providing equal treatment to ethnic

minorities and other disadvantaged groups. Civil legal assistance

is frequently expensive or unavailable, and the gap between

rich and poor individuals in terms of both actual use of and of and

satisfaction with the court system is significant.

**Rights and Freedoms**

USA

The Bill of Rights enumerates freedoms not explicitly indicated in the main body of the Constitution, such as freedom of religion, freedom of speech, a free press, and free assembly; the right to keep and bear arms; freedom from unreasonable search and seizure, security in personal effects, and freedom from warrants issued without probable cause; indictment by a [grand jury](http://en.wikipedia.org/wiki/Grand_jury) for any[capital](http://en.wikipedia.org/wiki/Capital_punishment) or "infamous crime"; guarantee of a speedy, public trial with an impartial [jury](http://en.wikipedia.org/wiki/Jury_trial); and prohibition of [double jeopardy](http://en.wikipedia.org/wiki/Double_jeopardy). In addition, the Bill of Rights reserves for the people any rights not specifically mentioned in the Constitution and reserves all powers not specifically granted to the federal government to the people or the States.

http://en.wikipedia.org/wiki/United\_States\_Bill\_of\_Rights

Using thinking similar to that of English philosopher [John Locke](http://en.wikipedia.org/wiki/John_Locke), the founders of the [United States](http://en.wikipedia.org/wiki/United_States) believed in a state built upon the consent of "free and equal" citizens; a state otherwise conceived would lack [legitimacy](http://en.wikipedia.org/wiki/Legitimacy_(political)) and legal [authority](http://en.wikipedia.org/wiki/Authority_(sociology)). This was expressed, among other places, in the 2nd paragraph of the Declaration of Independence:[[1]](http://en.wikipedia.org/wiki/Consent_of_the_governed#cite_note-1)

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

http://en.wikipedia.org/wiki/Consent\_of\_the\_governed

**The Will of the People**

Civil Disobedience United States

The [Boston Tea Party](http://en.wikipedia.org/wiki/Boston_Tea_Party) was one of the most famous acts of civil disobedience in American history. [Susan B. Anthony](http://en.wikipedia.org/wiki/Susan_B._Anthony) was arrested for illegally voting in the [United States House of Representatives elections, 1872](http://en.wikipedia.org/wiki/United_States_House_of_Representatives_elections,_1872) in order to protest [female disenfranchisement](http://en.wikipedia.org/wiki/Female_disenfranchisement).[[30]](http://en.wikipedia.org/wiki/Examples_of_civil_disobedience#cite_note-30) [Dr. Martin Luther King, Jr](http://en.wikipedia.org/wiki/Martin_Luther_King,_Jr.),[James Bevel](http://en.wikipedia.org/wiki/James_Bevel), [Rosa Parks](http://en.wikipedia.org/wiki/Rosa_Parks), and other activists in the American Civil Rights Movement of the 1950s and 1960s used civil disobedience techniques. Among the most notable civil disobedience events in the U.S. occurred when [Rosa Parks](http://en.wikipedia.org/wiki/Rosa_Parks) refused to move on the bus when a [white man](http://en.wikipedia.org/wiki/White_people) tried to take her seat. Although 15-year old [Claudette Colvin](http://en.wikipedia.org/wiki/Claudette_Colvin) had done the same thing nine months earlier, Parks' action led directly to the [Montgomery Bus Boycott](http://en.wikipedia.org/wiki/Montgomery_Bus_Boycott). A more common act of civil disobedience (in opposition to [Jim Crow laws](http://en.wikipedia.org/wiki/Jim_Crow_laws)) during the [Civil Rights Movement](http://en.wikipedia.org/wiki/African-American_Civil_Rights_Movement_(1955%E2%80%931968)) would be a "[colored](http://en.wikipedia.org/wiki/Colored)" person (i.e. an [African American](http://en.wikipedia.org/wiki/African_American)) sitting at a "[white only](http://en.wikipedia.org/wiki/Racial_segregation_in_the_United_States)" lunch counter. In addition, other [Civil Rights movements](http://en.wikipedia.org/wiki/African-American_Civil_Rights_Movement) of the era include the [Sit-in](http://en.wikipedia.org/wiki/Sit-in)movements of 1958 and '60, the 1961 [Freedom Rides](http://en.wikipedia.org/wiki/Freedom_rides), the 1963 [Birmingham campaign](http://en.wikipedia.org/wiki/Birmingham_campaign), the 1965 [Selma Voting Rights Movement](http://en.wikipedia.org/wiki/Selma_to_Montgomery_marches) and the 1966[Chicago Open Housing Movement](http://en.wikipedia.org/wiki/Chicago_Freedom_Movement). These forms of civil disobedience were effective in promoting the eventual passage of the [Civil Rights Act of 1964](http://en.wikipedia.org/wiki/Civil_Rights_Act_of_1964), the [Voting Rights Act of 1965](http://en.wikipedia.org/wiki/Voting_Rights_Act_of_1965), and the [Open Housing Act of 1968](http://en.wikipedia.org/wiki/Civil_Rights_Act_of_1968). [Antiwar](http://en.wikipedia.org/wiki/Pacifism) activists both during and after the [Vietnam War](http://en.wikipedia.org/wiki/Vietnam_War) have done likewise.

Since the 1970s, pro-life or anti-abortion groups have practiced civil disobedience against the U.S. government over the issue of legalized[abortion](http://en.wikipedia.org/wiki/Abortion). The broader American public has a long history of subverting [unconstitutional](http://en.wikipedia.org/wiki/United_States_Constitution) governance, from the [Whiskey Rebellion](http://en.wikipedia.org/wiki/Whiskey_Rebellion) to the [War on Drugs](http://en.wikipedia.org/wiki/War_on_Drugs). However, the extent to which simple violation of sumptuary laws represents true civil disobedience aimed at legal and/or social reform varies widely.

American interest in theoretical discussions of civil disobedience was also sparked by the [Nuremberg trials](http://en.wikipedia.org/wiki/Nuremberg_trial), the [security and loyalty controversies](http://en.wikipedia.org/wiki/Security_and_loyalty_controversies) of the 1950s, and the pre-[arms control](http://en.wikipedia.org/wiki/Arms_control) years of nuclear power.[[31]](http://en.wikipedia.org/wiki/Examples_of_civil_disobedience#cite_note-31) The 2000s (decade) have seen some[libertarian civil disobedience](http://en.wikipedia.org/wiki/Libertarian_civil_disobedience) by [Free State Project](http://en.wikipedia.org/wiki/Free_State_Project) participants and others.

In 2010, Arizonans were planning to protest [Arizona SB 1070](http://en.wikipedia.org/wiki/Arizona_SB_1070) by not carrying their identification papers.[[32]](http://en.wikipedia.org/wiki/Examples_of_civil_disobedience#cite_note-32) Also that year, five protestors pleaded guilty to trespassing after they sat in the chairs of the [Greensboro, North Carolina](http://en.wikipedia.org/wiki/Greensboro,_North_Carolina) [city council](http://en.wikipedia.org/wiki/City_council) during a[recess](http://en.wikipedia.org/wiki/Recess_(parliamentary_procedure)), banged the [gavel](http://en.wikipedia.org/wiki/Gavel), and denounced a subculture of [police corruption](http://en.wikipedia.org/wiki/Police_corruption).[[33]](http://en.wikipedia.org/wiki/Examples_of_civil_disobedience#cite_note-33)

In August and September 2011, 1253 demonstrators organized by environmentalist [Bill McKibben](http://en.wikipedia.org/wiki/Bill_McKibben) and the group [Tar Sands Action](http://en.wikipedia.org/w/index.php?title=Tar_Sands_Action&action=edit&redlink=1) were arrested for sitting on the sidewalk in front of the [White House](http://en.wikipedia.org/wiki/White_House) over the course of two weeks. The group, including environmentalists like [Phil Radford](http://en.wikipedia.org/wiki/Phil_Radford), celebrities like [Daryl Hannah](http://en.wikipedia.org/wiki/Daryl_Hannah), indigenous and religious leaders, students, and landowners faced arrest to express opposition to the proposed [Keystone Pipeline](http://en.wikipedia.org/wiki/Keystone_Pipeline) extension (Keystone XL) permit which would bring [Oil Sands](http://en.wikipedia.org/wiki/Oil_Sands) from [Alberta](http://en.wikipedia.org/wiki/Alberta), Canada to refineries along the [Gulf of Mexico](http://en.wikipedia.org/wiki/Gulf_of_Mexico). The White House was chosen as a site of action because of President [Barack Obama](http://en.wikipedia.org/wiki/Barack_Obama)'s role in the decision.[[34]](http://en.wikipedia.org/wiki/Examples_of_civil_disobedience#cite_note-34)[[35]](http://en.wikipedia.org/wiki/Examples_of_civil_disobedience#cite_note-35)

### Eligibility to Vote in USA

The eligibility of an individual for voting is set out in the constitution and also regulated at state level. The constitution states that suffrage cannot be denied on grounds of[race or color](http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution), [sex](http://en.wikipedia.org/wiki/Nineteenth_Amendment_to_the_United_States_Constitution) or [age for citizens eighteen years or older](http://en.wikipedia.org/wiki/Twenty-sixth_Amendment_to_the_United_States_Constitution). Beyond these basic qualifications, it is the responsibility of [state legislatures](http://en.wikipedia.org/wiki/State_legislature_(United_States)) to regulate voter eligibility. Some states ban convicted criminals, [especially felons](http://en.wikipedia.org/wiki/Felony_disenfranchisement), from voting for a fixed period of time or indefinitely. The number of American adults who are currently or permanently ineligible to vote due to felony convictions is estimated to be 5.3 million.[[1]](http://en.wikipedia.org/wiki/Elections_in_the_United_States#cite_note-1) Some states also have legacy constitutional statements barring the "insane" or "idiots" from voting; such references are generally considered obsolete and are being considered for review or removal where they appeal.

http://en.wikipedia.org/wiki/Elections\_in\_the\_United\_States

The history of [direct democracy](http://en.wikipedia.org/wiki/Direct_democracy) amongst non-Native Americans in the United States dates from the 1630s in the [New England](http://en.wikipedia.org/wiki/New_England) [Colonies](http://en.wikipedia.org/wiki/Thirteen_Colonies).[[1]](http://en.wikipedia.org/wiki/History_of_direct_democracy_in_the_United_States#cite_note-1) Many [New England towns](http://en.wikipedia.org/wiki/New_England_town) still carry on that tradition in the form of [open town meetings](http://en.wikipedia.org/wiki/Town_meeting).

Direct Democracy in USA (referendums)

Beginning in 1878, millions of American farmers began banding together to break the post-[Civil War](http://en.wikipedia.org/wiki/American_Civil_War), small-farmer enslaving [crop-lien system](http://en.wikipedia.org/wiki/Crop-lien_system) with co-operative[economics](http://en.wikipedia.org/wiki/Economics). When they were bested by [corrupt](http://en.wikipedia.org/wiki/Corporate_crime) and abusive practices of the national [financial](http://en.wikipedia.org/wiki/Finance) [sector](http://en.wikipedia.org/wiki/List_of_recognized_economic_sectors), they attempted to improve their circumstances by forming the[People's Party](http://en.wikipedia.org/wiki/People%27s_Party) and engaging in [populist](http://en.wikipedia.org/wiki/Populism) [politics](http://en.wikipedia.org/wiki/Politics). Again they were bested, this time by the country's mainstream [two-party system](http://en.wikipedia.org/wiki/Two-party_system). However, the [Progressive Era](http://en.wikipedia.org/wiki/Progressive_Era) had just begun. Before it ended, it would become one of the greatest [democracy](http://en.wikipedia.org/wiki/Democracy) movements in recorded [history](http://en.wikipedia.org/wiki/History).

Fired by the efforts of millions of farmers, exposes written by [investigative journalists](http://en.wikipedia.org/wiki/Investigative_journalist) (the famous [muckrakers](http://en.wikipedia.org/wiki/Muckraker)), and correlations between special interests' abuses of farmers and special interests' abuses of urban workers, [Progressives](http://en.wikipedia.org/wiki/Progressivism) formed nationally connected [citizen](http://en.wikipedia.org/wiki/Citizenship) organizations to extend this democracy movement. From 1898 to 1918, the Progressives, supported by tens of millions of citizens, forced direct democracy [petition](http://en.wikipedia.org/wiki/Petition) components into the [constitutions](http://en.wikipedia.org/wiki/Constitution) of twenty-six states.

The constitutional placement of direct democracy petition components was seen by those citizen majorities as necessary. Given the obvious corruption in state governments, the lack of sovereign public control over the output of state [legislatures](http://en.wikipedia.org/wiki/Legislature) was seen as "the fundamental defect" in the nation's legislative machinery. Advocates insisted that the only way to make the founding fathers' vision work was to take the "misrepresentation" out of representative government with the sovereign people's direct legislation (Special Committee of the National Economic League, 1912). [Nebraska](http://en.wikipedia.org/wiki/Nebraska) adopted the referendum for municipal governments within its boundaries in 1897. [South Dakota](http://en.wikipedia.org/wiki/South_Dakota) was the first state to adopt the referendum, in 1898, patterning its system after that of [Switzerland](http://en.wikipedia.org/wiki/Switzerland). However, it was not all successful. Most notably, residents of [Texas](http://en.wikipedia.org/wiki/Texas) rejected the referendum because the version put on the ballot by the legislature required 20% of the vote. Other states where the constitutional amendments to place direct democracy failed include [Mississippi](http://en.wikipedia.org/wiki/Mississippi), [Missouri](http://en.wikipedia.org/wiki/Missouri), [Wisconsin](http://en.wikipedia.org/wiki/Wisconsin), and [Wyoming](http://en.wikipedia.org/wiki/Wyoming). By 1918 enthusiasm waned and the next state to adopt the referendum was [Florida](http://en.wikipedia.org/wiki/Florida) 50 years later.

Initiative and referendum (I&R) [citizen](http://en.wikipedia.org/wiki/Citizen) lawmaking spread across the United States because state legislatures were unresponsive in creating laws that the people needed to protect themselves from [lobby groups](http://en.wikipedia.org/wiki/Lobby_group), [laissez-faire](http://en.wikipedia.org/wiki/Laissez-faire) economics, and the era's [robber barons](http://en.wikipedia.org/wiki/Robber_baron_(industrialist)). Additionally, while legislatures were quick to pass laws benefitting special interests, both legislatures and the [courts](http://en.wikipedia.org/wiki/Court) were inflexible in their refusals to amend, repeal or adjudicate those laws in ways that would eliminate special interest advantages and end abuses of the majority.

**SWEDEN**

**Rule of law**- see page one

# Fundamental freedoms and rights

All Swedish citizens have the same fundamental freedoms and rights, irrespective of age, sex or origin. The protection of freedoms and rights is embodied above all in the Instrument of Government, in which it is laid down that public power shall be exercised with respect for the equal worth of all and the liberty and dignity of the private person.

The Instrument of Government is a fundamental law and hence cannot easily be amended. It can only be amended or abrogated by the Riksdag passing identically worded resolutions to this effect on two different occasions, separated by a general election. The Instrument of Government guarantees inter alia citizens right to freely seek information, hold demonstrations, form political parties and practise their religion. With the exception of freedom of religion, these freedoms and rights may under certain circumstances be restricted.

## Our fundamental freedoms and rights are among others:

1. Freedom of expression: the freedom to communicate information and express ideas, opinions and sentiments whether orally, pictorially, in writing or in some other way
2. Freedom of information: the freedom to procure and receive information and otherwise to acquaint oneself with the utterances of others
3. Freedom of assembly: the freedom to organise or attend a meeting for the purposes of information or for the expression of opinion or for any other similar purpose, or for the purpose of presenting artistic work
4. Freedom to demonstrate: freedom to organise or take part in a demonstration in a public place
5. Freedom of association: the freedom to associate with others for public or private purposes
6. Freedom of worship: the freedom to practise ones religion either alone or in the company of others

(Chapter 2 Article 1, the Instrument of Go

http://www.government.se/sb/d/2853/a/16202

**Protests**

# Naming law in Sweden

From Wikipedia, the free encyclopedia

The **naming law in Sweden** ([Swedish](http://en.wikipedia.org/wiki/Swedish_language): *Namnlagen*) [[1]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-1) is a [Swedish law](http://en.wikipedia.org/wiki/Judiciary_of_Sweden) which requires approval of the government agency for the names to be given to Swedish children. The parents must submit the proposed name of a child within 3 months of birth. The law was enacted in 1982, primarily to prevent non-noble families from giving their children the names of [noble families](http://en.wikipedia.org/wiki/List_of_Swedish_noble_families). The [Swedish Tax Agency](http://en.wikipedia.org/wiki/Swedish_Tax_Agency) administers the registration of names in Sweden. The law has been revised since originally enacted: in 1983 it was made possible for men to adopt their wife's or partner's name, as well as for women to adopt their husband's name.

The law states, in part: "First names shall not be approved if they can cause offense or can be supposed to cause discomfort for the one using it, or names which for some obvious reason are not suitable as a first name" (34 §). This law text is valid in the same way both when parents name their children and when an adult wants to change their own name. When changing a name at least one of the names given at birth must be kept, and such a change is only allowed once per person. The law states nothing about registering which name is used on a daily basis, but the tax authority can register that if requested.

## Protest names

There has been a fair amount of controversy surrounding Sweden's naming laws since they have been enacted. Aside from significant commentary in the press, many parents have attempted to give their children unusual names.

### Brfxxccxxmnpcccclllmmnprxvclmnckssqlbb11116[[edit](http://en.wikipedia.org/w/index.php?title=Naming_law_in_Sweden&action=edit&section=2)]

[Sound-icon.svg](http://en.wikipedia.org/wiki/File:Brfxxccxxmnpcccclllmmnprxvclmnckssqlbb11116-060521.ogg)

Brfxxccxxmnpcccclllmmnprxvclmnckssqlbb11116, pronounced [[ˈalbɪn]](http://en.wikipedia.org/wiki/Help:IPA_for_Swedish_and_Norwegian), was a [name](http://en.wikipedia.org/wiki/Personal_name) intended for a [Swedish](http://en.wikipedia.org/wiki/Sweden) child who was born in 1991.[[2]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-2)[[3]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-bbcnews-3)[[4]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-4) Parents Elisabeth Hallin and Lasse Diding gave their child this name as a protest against the naming law in Sweden.[[*clarification needed*](http://en.wikipedia.org/wiki/Wikipedia:Please_clarify)]

Because the parents failed to register a name by the boy's 5th birthday, a [district court](http://en.wikipedia.org/wiki/District_court) in [Halmstad](http://en.wikipedia.org/wiki/Halmstad" \o "Halmstad), southern Sweden, [fined](http://en.wikipedia.org/wiki/Fine_(penalty)" \o "Fine (penalty))them 5,000 [kronor](http://en.wikipedia.org/wiki/Swedish_krona). Responding to the fine, the parents submitted the 43-[character](http://en.wikipedia.org/wiki/Grapheme) name in May 1996, claiming that it was "a pregnant, [expressionistic](http://en.wikipedia.org/wiki/Expressionism) development that we see as an artistic creation." The parents suggested the name be understood in the spirit of ['pataphysics](http://en.wikipedia.org/wiki/%27Pataphysics). The court rejected the name and upheld the fine.

The parents then tried to change the spelling of the name to *A* (also pronounced "[[ˈalbɪn]](http://en.wikipedia.org/wiki/Help:IPA_for_Swedish_and_Norwegian)"). Once again, the court refused to approve of the name, citing a prohibition on one-letter naming.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

### Metallica[[edit](http://en.wikipedia.org/w/index.php?title=Naming_law_in_Sweden&action=edit&section=3)]

In 2007, Michael and Karolina Tomaro fought to have their daughter named "Metallica", after [the metal band](http://en.wikipedia.org/wiki/Metallica).[[3]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-bbcnews-3) Tax officials determined that the name was "inappropriate", but the [Göteborg County Administrative Court](http://en.wikipedia.org/w/index.php?title=G%C3%B6teborg_County_Administrative_Court&action=edit&redlink=1" \o "Göteborg County Administrative Court (page does not exist)) ruled in March 2007 that there was no reason to block the name, stating that a Swedish woman already uses the middle name Metallica. Tax officials did not agree with the decision and denied the parents a [passport](http://en.wikipedia.org/wiki/Passport) for their daughter, but later withdrew the objection.[[3]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-bbcnews-3)[[5]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-nmenews-5)

Commentary at the time noted that the name "[Google](http://en.wikipedia.org/wiki/Google)" was earlier deemed acceptable in 2005, when Elias and Carol Kai named their child "Oliver Google Kai".[[3]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-bbcnews-3)

### Other cases[[edit](http://en.wikipedia.org/w/index.php?title=Naming_law_in_Sweden&action=edit&section=4)]

In 2009, the Swedish Tax Authority refused to allow a couple to name their son "Allah". The basis of the decision was that the name could be seen as objectionable for religious reasons, and that some people may take offense at such a name.[[6]](http://en.wikipedia.org/wiki/Naming_law_in_Sweden#cite_note-6)

**Voting**

### Voter eligibility[[edit](http://en.wikipedia.org/w/index.php?title=Elections_in_Sweden&action=edit&section=3)]

To vote in a Swedish *general election*, one must be:[[1]](http://en.wikipedia.org/wiki/Elections_in_Sweden#cite_note-voter-1)

* a Swedish citizen,
* at least 18 years of age on election day,
* and have at some point been a registered resident of Sweden (thus excluding foreign-born Swedes who have never lived in Sweden)

To vote in Swedish *local elections* (for the county councils and municipal assemblies), one must:[[1]](http://en.wikipedia.org/wiki/Elections_in_Sweden#cite_note-voter-1)

* be a registered resident of the county or municipality in question and be at least 18 years of age on election day
* fall into one of the following groups:

1. Swedish citizens
2. Citizens of [Iceland](http://en.wikipedia.org/wiki/Iceland), [Norway](http://en.wikipedia.org/wiki/Norway), or any country in the [European Union](http://en.wikipedia.org/wiki/European_Union)
3. Citizens of any other country who have permanent residency in Sweden and have lived in Sweden for three consecutive years

In order to vote in elections to the European Parliament, one must be 18 years old, and fall into one of the following groups:[[1]](http://en.wikipedia.org/wiki/Elections_in_Sweden#cite_note-voter-1)

1. Swedish citizens who are or have been residents of Sweden
2. Citizens of any other country in the [European Union](http://en.wikipedia.org/wiki/European_Union) who are currently residents of Sweden; such citizens, by choosing to vote in European Parliamentary elections in Sweden, become ineligible to vote in European Parliamentary elections in any other EU member state

In general, any person who is eligible to vote is also eligible to stand for election.

http://en.wikipedia.org/wiki/Elections\_in\_Sweden

# Referendums in Sweden

A referendum means that the electorate votes on a specific political question which has been referred to them for a direct decision.

In a representative democracy, citizens usually govern indirectly by choosing representatives in elections who, for a limited period, take decisions on their behalf on how the country is run. Referendums on the other hand are a form of direct democracy and are sometimes used as a complement to the representative system. There are many kinds of referendums and they may be used in different ways, occurring at both central and local government levels. An essential difference between different types of referendums is how they are initiated and by whom. A distinction is usually made between popular initiatives on the one hand and institutional initiatives on the other.

## Popular initiatives

Just as the term suggests, a popular initiative means that citizens themselves are eligible to initiate a referendum. A referendum of this type comes about when one or more people collect a sufficient number of signatures requesting a referendum be held in a specific question.

## Institutional initiatives

In most countries, however, referendums are held following an institutional initiative. This may either be statutory or optional. In this context, a statutory referendum means that a referendum must be held on certain issues under the countrys constitution. An optional, facultative initiative comes from an elected assembly (in Sweden the Riksdag, county council or municipal council) from case to case when there is a need to sound out public opinion on a particular issue.

A referendum may be either consultative, which means that it is not binding and leaves those in power free to make a decision contrary to the outcome of the referendum, or decisive which means the outcome is directly binding. In other words, there are several different combinations of referendums. They may either be top-down or bottom-up initiatives, be consultative or binding and, in addition, be organised both nationally and locally.

http://www.government.se/sb/d/2853/a/18102

**China**

**Rule of Law-** see first page

Individual rights and freedoms

The extent to which human rights are recognized and protected in the People's Republic of China ("China" or "the PRC") is a matter of dispute between its government and external organizations and individuals. [PRC authorities](http://en.wikipedia.org/wiki/Government_of_the_People%27s_Republic_of_China), their supporters, and other proponents claim that existing policies and enforcement measures are sufficient to guard against human rights abuses. However, other countries and their authorities (such as the [United States Department of State](http://en.wikipedia.org/wiki/United_States_Department_of_State), [Canada](http://en.wikipedia.org/wiki/Canada), and [India](http://en.wikipedia.org/wiki/India), among others), international [non-governmental organizations](http://en.wikipedia.org/wiki/Non-governmental_organizations) (NGOs), such as [Human Rights in China](http://en.wikipedia.org/wiki/Human_Rights_in_China_(organization)) and [Amnesty International](http://en.wikipedia.org/wiki/Amnesty_International), and dissidents inside the country state that the [authorities](http://en.wikipedia.org/wiki/Authoritarianism) in [mainland China](http://en.wikipedia.org/wiki/Mainland_China) regularly sanction or create such abuses. In 2012, there were 12 outstanding requests for official visits to China by UN Special Rapporteurs on various human rights issues.[[1]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-1)

NGOs such as Amnesty International and [Human Rights Watch](http://en.wikipedia.org/wiki/Human_Rights_Watch), as well as foreign governmental institutions such as the U.S. State Department, have accused the PRC of violating the freedoms of [speech](http://en.wikipedia.org/wiki/Freedom_of_speech), [movement](http://en.wikipedia.org/wiki/Freedom_of_movement), and [religion](http://en.wikipedia.org/wiki/Freedom_of_religion) of its citizens and of others within its jurisdiction. Authorities in the PRC use a different definition of human rights, which they say includes[economic and social](http://en.wikipedia.org/wiki/Economic,_social_and_cultural_rights) as well as political rights, all in relation to "[national culture](http://en.wikipedia.org/wiki/Cultural_relativism)" and the [level of development](http://en.wikipedia.org/wiki/Developing_country) of the country.[[2]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-xinhuanet_human_rights-2) Authorities in the PRC, referring to this definition, claim that human rights are being improved.[[3]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-3) They do not, however, use [the definition used by most countries and organisations](http://en.wikipedia.org/wiki/Universal_Declaration_of_Human_Rights). Politicians of the PRC have repeatedly maintained that, according the [PRC Constitution](http://en.wikipedia.org/wiki/PRC_Constitution), the "[Four Cardinal Principles](http://en.wikipedia.org/wiki/Four_Cardinal_Principles)" supersede citizenship rights. PRC officials interpret the primacy of the Four Cardinal Principles as a legal basis for the arrest of people who the government says seek to overthrow the principles. Chinese nationals whom authorities perceive to be in compliance with these principles, on the other hand, are permitted by the PRC authorities to enjoy and exercise all the rights that come with citizenship of the PRC, provided they do not violate PRC laws in any other manner.

Numerous [human rights groups](http://en.wikipedia.org/wiki/China_human_rights_organizations) have pointed out human rights issues which they consider the government to be mishandling. The more publicised human rights issues in China include [the death penalty (capital punishment)](http://en.wikipedia.org/wiki/Death_penalty), the [one-child policy](http://en.wikipedia.org/wiki/One-child_policy), the political and legal status of [Tibet](http://en.wikipedia.org/wiki/Tibet), and neglect of freedom of the press in mainland China. Other areas of concern include the lack of legal recognition of human rights and the lack of [an independent judiciary](http://en.wikipedia.org/wiki/Independence_of_the_judiciary), rule of law, and due process. Further issues raised in regard to human rights include the severe lack of [rights of labourers](http://en.wikipedia.org/wiki/Worker%27s_rights) (in particular the *[hukou](http://en.wikipedia.org/wiki/Hukou_system" \o "Hukou system)*[system](http://en.wikipedia.org/wiki/Hukou_system" \o "Hukou system)restricting [migrant labourers'](http://en.wikipedia.org/wiki/Labour_Economics) freedom of movement), the absence of independent labour unions, and allegations of discrimination against rural workers and [ethnic minorities](http://en.wikipedia.org/wiki/Ethnic_minorities_in_China), as well as the lack of religious freedom – rights groups have highlighted repression of the Christian,[[4]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-4)[[5]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-5)[[6]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-6)[[7]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-7)[[8]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-8)[[9]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-9) [Tibetan Buddhist](http://en.wikipedia.org/wiki/Tibetan_Buddhism), and [Falun Gong](http://en.wikipedia.org/wiki/Falun_Gong" \o "Falun Gong) religious groups. Some Chinese activist groups are trying to expand these freedoms, including Human Rights in China, [Chinese Human Rights Defenders](http://en.wikipedia.org/wiki/Chinese_Human_Rights_Defenders), and the [China Human Rights Lawyers Concern Group](http://en.wikipedia.org/wiki/China_Human_Rights_Lawyers_Concern_Group).

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Legal system[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=1)]

Since the [legal reforms](http://en.wikipedia.org/wiki/Legal_history_of_China#1978-1981) of the late 1970s and 1980s, the [Communist Party of China](http://en.wikipedia.org/wiki/Communist_Party_of_China) (CPC) has officially moved to embrace the language of the rule of law and to establish a modern [court system](http://en.wikipedia.org/wiki/Court_system_of_the_People%27s_Republic_of_China). In the process, it has enacted thousands of new laws and regulations, and has begun training more legal professionals.[[10]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-HRW_Thin_Ice-10) The concept of 'rule of law' has been emphasized in the [constitution](http://en.wikipedia.org/wiki/Constitution_of_the_People%27s_Republic_of_China), and the [ruling party](http://en.wikipedia.org/wiki/Communist_Party_of_China) has embarked on campaigns to promote the idea that citizens have protection under the law. At the same time, however, a fundamental contradiction exists in the constitution itself, in which the Communist Party insists that its authority supersedes that of the law.[[11]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-fordham-11)Thus, the constitution enshrines the rule of law, yet simultaneously stresses the principle that the 'leadership of the Communist Party' holds primacy over the law.

The judiciary is not independent of the Communist Party, and judges face political pressure; in many instances, private party committees dictate the outcome of cases.[[12]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-12)In this way, the CPC effectively controls the judiciary through its influence.[[10]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-HRW_Thin_Ice-10) This influence has produced a system often described as 'rule *by* law' (alluding to the CPC's power), rather than rule *of* law.[[13]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-nytimes-13) Moreover, the legal system lacks protections for [civil rights](http://en.wikipedia.org/wiki/Civil_law_(Common_law)), and often fails to uphold due process.[[14]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-14)

Prisons[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=2)]

Foreign experts estimate that in 2000, there were between 1.5 million and 4 million people in prison in China. China does not allow outsiders to inspect the penal system.[[15]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Becker-15)

Civil liberties[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=3)]

**Freedom of speech**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=4)]

*Main articles:*[*Censorship in the People's Republic of China*](http://en.wikipedia.org/wiki/Censorship_in_the_People%27s_Republic_of_China)*,*[*Government control of the media in the People's Republic of China*](http://en.wikipedia.org/wiki/Government_control_of_the_media_in_the_People%27s_Republic_of_China)*and*[*Internet censorship in the People's Republic of China*](http://en.wikipedia.org/wiki/Internet_censorship_in_the_People%27s_Republic_of_China)

Although the 1982 constitution guarantees freedom of speech,[[16]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-16) the Chinese government often uses the '[subversion of state power](http://en.wikipedia.org/wiki/Inciting_subversion_of_state_power)' and 'protection of [state secrets](http://en.wikipedia.org/wiki/Classified_information)' clauses in their law system to imprison those who are critical of the government.[[17]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-17) The [Propaganda Department of the Communist Party of China](http://en.wikipedia.org/wiki/Propaganda_Department_of_the_Communist_Party_of_China) is also heavily involved in [censoring](http://en.wikipedia.org/wiki/Censorship_in_China) news, even though no publicly known state law explicitly authorizes it or any other department of the PRC's government to engage in such activities.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

During the [2008 Summer Olympics](http://en.wikipedia.org/wiki/2008_Summer_Olympics), the government promised to issue permits authorizing people to protest in specifically designated 'protest parks' in [Beijing](http://en.wikipedia.org/wiki/Beijing).[[18]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-18)However, a majority of the applications were withdrawn, suspended, or vetoed,[[19]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-19) and the police detained some of the people who applied.[[20]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-IHT-20)

References to certain controversial events and political movements, as well as access to web pages considered by the PRC authorities to be 'dangerous' or 'threatening to state security', are [blocked on the internet in the PRC](http://en.wikipedia.org/wiki/Internet_censorship_in_the_People%27s_Republic_of_China); and content disputed by or critical of PRC authorities is absent from many publications, and subject to the [control of the CPC](http://en.wikipedia.org/wiki/Authoritarianism) within mainland China.[[21]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-21) Laws in the People's Republic of China forbid the advocacy of [separation](http://en.wikipedia.org/wiki/Independence) of any part of its claimed territory from mainland China, or public challenge to the CPC's domination of the government of China. An unsanctioned protest during the Olympics by seven foreign activists at the [China Nationalities Museum](http://en.wikipedia.org/wiki/China_Nationalities_Museum), protesting for a free Tibet and blocking the entrance, was cleared[[22]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Ang-22) and the protesters deported.[[23]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-23)

Foreign Internet search engines including Microsoft [Bing](http://en.wikipedia.org/wiki/Bing), [Yahoo!](http://en.wikipedia.org/wiki/Yahoo!), and [Google China](http://en.wikipedia.org/wiki/Google_China)[[24]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-24) have come under criticism for aiding these practices, including banning the word 'democracy' from chat rooms in China. [Yahoo!](http://en.wikipedia.org/wiki/Criticism_of_Yahoo!#Work_in_the_People.27s_Republic_of_China), in particular, stated that it will not protect the privacy and confidentiality of its Chinese customers from the authorities.[[25]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-25)

In 2005, after Yahoo! China provided his personal emails and IP addresses to the Chinese government, reporter [Shi Tao](http://en.wikipedia.org/wiki/Shi_Tao) was sentenced to imprisonment for 10 years for releasing an internal Communist Party document to an overseas Chinese democracy site.[[26]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-26) Skype president Josh Silverman said it was 'common knowledge' that [TOM Online](http://en.wikipedia.org/wiki/TOM_Online) had 'established procedures to... block instant messages containing certain words deemed offensive by the Chinese authorities.'[[27]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-spying-27)

**Freedom of the press**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=5)]

Critics argue that the CPC has failed to live up to its promises about the [freedom of the mainland Chinese media](http://en.wikipedia.org/wiki/Freedom_of_the_press). [Freedom House](http://en.wikipedia.org/wiki/Freedom_House) ranked China 'Not Free'[[28]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-28) in its annual press freedom survey in May 2011. PRC journalist [He Qinglian](http://en.wikipedia.org/wiki/He_Qinglian) says that the PRC's media are controlled by directives from the Communist Party's propaganda department, and are subjected to intense monitoring which threatens punishment for violators, rather than to pre-publication censorship.[[29]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-29) In 2008, [ITV News](http://en.wikipedia.org/wiki/ITV_News) reporter John Ray was arrested while covering a 'Free Tibet' protest.[[22]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Ang-22)[[30]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-30) International media coverage of Tibetan protests only a few months before the Beijing Olympics in 2008 triggered a strong reaction inside China. Chinese media practitioners took the opportunity to argue with propaganda authorities for more media freedom:[[31]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Stockmann_269-289-31) one journalist asked, 'If not even Chinese journalists are allowed to report about the problems in Tibet, how can foreign journalists know about the Chinese perspective about the events?'[[32]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-32) Foreign journalists also reported that their access to certain websites, including those of human rights organizations, was restricted.[[33]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-33)[[34]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-34) [International Olympic Committee](http://en.wikipedia.org/wiki/International_Olympic_Committee) president [Jacques Rogge](http://en.wikipedia.org/wiki/Jacques_Rogge) stated at the end of the 2008 Olympic Games that 'The regulations [governing foreign media freedom during the Olympics] might not be perfect but they are a sea-change compared to the situation before. We hope that they will continue.'[[35]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-35) The Foreign Correspondents Club of China (FCCC) issued a statement during the Olympics that 'despite welcome progress in terms of accessibility and the number of press conferences within the Olympic facilities, the FCCC has been alarmed at the use of violence, intimidation and harassment outside. The club has confirmed more than 30 cases of reporting interference since the formal opening of the Olympic media centre on 25 July, and is checking at least 20 other reported incidents.'[[36]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-36)

Since the Chinese state continues to exert a considerable amount of control over media, public support for domestic reporting has come as a surprise to many observers.[[31]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Stockmann_269-289-31) Not much is known about the extent to which the Chinese citizenry believe the official statements of the CPC, nor about which media sources they perceive as credible and why. So far, research on the media in China has focused on the changing relationship between media outlets and the state during the reform era.[[31]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Stockmann_269-289-31) Nor is much known about how China's changing media environment has affected the government's ability to persuade media audiences.[[31]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Stockmann_269-289-31) Research on political trust reveals that exposure to the media correlates positively with support for the government in some instances, and negatively in others. The research has been cited as evidence that the Chinese public believes propaganda transmitted to them through the news media, but also that they disbelieve it.[[37]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-37)[[38]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-38) These contradictory results can be explained by realizing that ordinary citizens consider media sources to be credible to a greater or lesser degree, depending on the extent to which media outlets have undergone reform.[[31]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Stockmann_269-289-31)

In 2012 the UN High Commissioner for Human Rights urged the Chinese government to lift restrictions on media access to the region and allow independent and impartial monitors to visit and assess conditions in Tibet.[[39]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-UN_News_Centre-39) The Chinese government did not change its position.

**Freedom of the Internet**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=6)]

*Main article:*[*Internet censorship in the People's Republic of China*](http://en.wikipedia.org/wiki/Internet_censorship_in_the_People%27s_Republic_of_China)

In 2013, 24 years after the pro-democracy demonstrations in [Tiananmen Square](http://en.wikipedia.org/wiki/Tiananmen_Square_protests_of_1989), online searches for the term 'Tienanmen Square' were still censored by Chinese authorities.[[40]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-40)

**Freedom of movement**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=7)]

*For more details on this topic, see [Hukou system](http://en.wikipedia.org/wiki/Hukou_system" \o "Hukou system).*

The [Communist Party](http://en.wikipedia.org/wiki/Communist_Party_of_China) came to power in the late 1940s and instituted a [command economy](http://en.wikipedia.org/wiki/Command_economy). In 1958, [Mao Zedong](http://en.wikipedia.org/wiki/Mao_Zedong) set up a residency permit system defining where people could work, and classified workers as rural or urban.[[41]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-autogenerated2-41)[[42]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Wildasin-42)[[43]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-ChanSenser-43) In this system, a worker seeking to move from the country to an urban area to take up non-agricultural work would have to apply through the relevant bureaucratic institutions. There is uncertainty, however, over how strictly the system has been enforced. People who worked outside the region in which they were registered would not qualify for grain rations, employer-provided housing, or health care.[[42]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Wildasin-42) There were controls over education, employment, marriage and other areas of life.[[41]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-autogenerated2-41) One reason cited for instituting this system was to prevent the possible chaos caused by predictable large-scale urbanization.[[44]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-44) As a part of the [one country, two systems](http://en.wikipedia.org/wiki/One_country,_two_systems) policy proposed by [Deng Xiaoping](http://en.wikipedia.org/wiki/Deng_Xiaoping) and accepted by the British and Portuguese governments, the [special administrative regions](http://en.wikipedia.org/wiki/Special_Administrative_Region_of_the_People%27s_Republic_of_China) (SARs) of Hong Kong and Macau retained separate border control and immigration policies with the rest of the PRC. Chinese nationals had to gain permission from the government before travelling to Hong Kong or Macau, but this requirement was officially abolished for each SAR after its respective handover. Since then, restrictions imposed by the SAR governments have been the limiting factor on travel.

[*The Washington Times*](http://en.wikipedia.org/wiki/The_Washington_Times) reported in 2000 that although migrant labourers play a major role in spreading wealth in Chinese villages, they are treated 'like second-class citizens by a system so discriminatory that it has been likened to [apartheid](http://en.wikipedia.org/wiki/Apartheid).'[[45]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-autogenerated3-45) Anita Chan also posits that China's household registration and temporary residence permit system has created a situation analogous to the passbook system in South Africa which was implemented to control the supply and actions of cheap labourers[[46]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Chan-46) from underprivileged ethnic groups, as well as to control the quality and quantity of such labourers. In 2000, the Tibetan Centre for Human Rights and Democracy alleged that people of [Han descent](http://en.wikipedia.org/wiki/Han_Chinese) in Tibet have a far easier time acquiring the necessary permits to live in urban areas than ethnic Tibetans do.[[47]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-47)

Abolition of this policy has been proposed in 11 provinces, mainly along the developed eastern coast. After a widely publicised incident in 2003, when a university-educated migrant died in Guangdong province, the law was changed to eliminate the possibility of summary arrest for migrant laborers. The Beijing law lecturer who exposed the incident said it spelt the end of the *[hukou](http://en.wikipedia.org/wiki/Hukou_system" \o "Hukou system)*[system](http://en.wikipedia.org/wiki/Hukou_system" \o "Hukou system): he believed that in most smaller cities, the system had been abandoned, and had 'almost lost its function' in big cities like Beijing and Shanghai.[[48]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-rethinks-48)

**Treatment of rural workers**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=8)]

In November 2005, [Jiang Wenran](http://en.wikipedia.org/w/index.php?title=Jiang_Wenran&action=edit&redlink=1), acting director of the China Institute at the [University of Alberta](http://en.wikipedia.org/wiki/University_of_Alberta), said that the *hukou* system was one of the most strictly enforced[apartheid](http://en.wikipedia.org/wiki/Apartheid) structures in modern world history.[[49]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Wenran-49) He stated, 'Urban dwellers enjoy a range of social, economic and cultural benefits while peasants, the majority of the Chinese population, are treated as second-class citizens.'[[49]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Wenran-49)

The discrimination enforced by the *hukou* system became particularly onerous in the 1980s after hundreds of millions of migrant workers were forced out of state corporations, co-operatives and other institutions.[[50]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-TheStar-50) Attempts by workers classified as rural to move to urban centers were tightly controlled by the Chinese bureaucracy, which enforced its control by denying access to essential goods and services such as grain rations, housing, and health care,[[42]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Wildasin-42) and by regularly closing down migrant workers' private schools.[[50]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-TheStar-50) The *hukou* system also enforced [pass laws](http://en.wikipedia.org/wiki/Pass_laws) similar to those in South Africa.[[41]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-autogenerated2-41)[[42]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Wildasin-42)[[43]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-ChanSenser-43)[[46][46]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Chan-46)[[51]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Waddington-51)[[52]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-52)[[53]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-53) Rural workers required six passes to work in provinces other than their own,[[50]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-TheStar-50) and periodic police raids rounded up those without permits, placed them in detention centers, and deported them.[[51]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Waddington-51) As in South Africa, the restrictions placed on the mobility of migrant workers were pervasive,[[50]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-TheStar-50) and transient workers were forced to live a precarious existence in company dormitories or [shanty towns](http://en.wikipedia.org/wiki/Shanty_towns), suffering abusive consequences.[[46]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Chan-46) Anita Chan comments further that China's household registration and temporary residence permit system has created a situation analogous to the passbook system in apartheid South Africa, which were designed to regulate the supply of cheap labor.

The [Chinese Ministry of Public Security](http://en.wikipedia.org/wiki/Ministry_of_Public_Security_of_the_People%27s_Republic_of_China) has justified these practices on the grounds that they have assisted the police in tracking down criminals and maintaining public order, and provided demographic data for government planning and programs.[[54]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Laquian-54)

**Freedom of association**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=9)]

*Main articles:*[*Freedom of association*](http://en.wikipedia.org/wiki/Freedom_of_association)*and*[*Labour law*](http://en.wikipedia.org/wiki/Labour_law)

China does not allow freedom of association in general; in particular, it does not allow a free choice of membership with trade unions and political parties. Under the[Universal Declaration of Human Rights](http://en.wikipedia.org/wiki/Universal_Declaration_of_Human_Rights) (UDHR), articles 20 and 23, every worker has the right to join an association of their choosing, to have their interests represented against their employer, and to take [collective action](http://en.wikipedia.org/wiki/Collective_action) including the [right to strike](http://en.wikipedia.org/wiki/Right_to_strike). In China, on a model similar to the [Deutsche Arbeitsfront](http://en.wikipedia.org/wiki/Deutsche_Arbeitsfront) from 1934 to 1945 in Germany, the [All-China Federation of Trade Unions](http://en.wikipedia.org/wiki/All-China_Federation_of_Trade_Unions) has a monopoly on union activity: it is effectively a nationalised organisation. This violates [International Labour Organisation](http://en.wikipedia.org/wiki/International_Labour_Organisation)Conventions Number [87](http://en.wikipedia.org/wiki/Freedom_of_Association_and_Protection_of_the_Right_to_Organise_Convention) and [98](http://en.wikipedia.org/wiki/Right_to_Organise_and_Collective_Bargaining_Convention,_1949) on freedom of association and collective bargaining. The leadership of the ACFTU is not freely elected by its members, and it is not independent from the state or employers.

The CPC effectively monopolises organised political activity in China. There is, therefore, no possibility of genuine electoral competition at any level of government, nor within the Party itself. This violates the UDHR article 21(1), which states, 'Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.'

**Religious freedom**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=10)]

*Main article:*[*Freedom of religion in the People's Republic of China*](http://en.wikipedia.org/wiki/Freedom_of_religion_in_the_People%27s_Republic_of_China)

During the [Cultural Revolution](http://en.wikipedia.org/wiki/Cultural_Revolution) (1966–1976), particularly the [Destruction of Four Olds](http://en.wikipedia.org/wiki/Four_Olds) campaign, religious affairs of all types were persecuted and discouraged by[Chairman Mao Zedong's government and ideological allies](http://en.wikipedia.org/wiki/Maoism). Many religious buildings were looted or destroyed. Since then, there have been efforts to repair, reconstruct and protect historical and cultural religious sites.[[55]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-55) In its [human rights report](http://en.wikipedia.org/wiki/Country_Reports_on_Human_Rights_Practices) for China in 2005, the US Department of State criticized China, saying that not enough had been done to repair or restore damaged or destroyed religious sites.[[56]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-56)

The 1982 Constitution provides its citizens the right to believe in any religion, as well as the right to refrain from doing so:

Citizens of the People's Republic of China enjoy freedom of religious belief. No state organization, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. Religious bodies and religious affairs are not subject to any foreign domination.[[57]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-57)

Members of the Communist Party are officially required to be [atheists](http://en.wikipedia.org/wiki/Atheists),[[58]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-58) but this rule is not regularly enforced and many party members privately engage in religious activities.[[59]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-59)

**Christianity**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=11)]

The Chinese government tries to maintain tight control over all organized religion, including Christianity. The only legal Christian groups, the [Three-Self Patriotic Movement](http://en.wikipedia.org/wiki/Three-Self_Patriotic_Movement)and the [Chinese Patriotic Catholic Association](http://en.wikipedia.org/wiki/Chinese_Patriotic_Catholic_Association), are under the [Communist Party](http://en.wikipedia.org/wiki/Communist_Party_of_China)'s control. The members of the illegal, underground Catholic church true to the Pope[[*dubious*](http://en.wikipedia.org/wiki/Wikipedia:Disputed_statement)*–*[*discuss*](http://en.wikipedia.org/wiki/Talk:Human_rights_in_China#Dubious)] and members of Protestant [house churches](http://en.wikipedia.org/wiki/Chinese_house_church) face prosecution from PRC authorities.[[60]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Pegasus-60) [[61]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-61)

In 2007, the Chinese Patriotic Catholic Association elected a Catholic bishop of Beijing to replace the deceased Fu Tieshan.[[62]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-62) The standard Catholic practice is for a bishop to be appointed by the Pope;[[63]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-63) the Catholic Church does not recognize the legitimacy of bishops elected by the Association, but not appointed by the Pope.[[64]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-64)According to Pope Benedict XVI, the Catholic Church in particular is viewed in China as a foreign power. Its situation is somewhat analogous to that of the Catholic Church in Post-Reformation England, in which the official church was also controlled by the state.[[60]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Pegasus-60)[[65]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-65)

**Tibetan Buddhism**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=12)]

The [Dalai Lama](http://en.wikipedia.org/wiki/Dalai_Lama) is a highly influential figure in [Tibetan Buddhism](http://en.wikipedia.org/wiki/Tibetan_Buddhism), who has traditionally lived in Tibet. Because of Chinese governmental control over the Tibetan area, the[current Dalai Lama](http://en.wikipedia.org/wiki/14th_Dalai_Lama) resides in [Dharamshala, Himachal Pradesh](http://en.wikipedia.org/wiki/Dharamshala,_Himachal_Pradesh" \o "Dharamshala, Himachal Pradesh), in the [Republic of India](http://en.wikipedia.org/wiki/Republic_of_India). In [a regulation promulgated 3 August 2007](http://en.wikipedia.org/wiki/State_Religious_Affairs_Bureau_Order_No._5), the Chinese government declared that after 1 September 2007, "[no] living Buddha [may be reincarnated] without government approval, since the Qing dynasty, when the live Buddha system was established.".[[66]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-permissiontoreincarnate-66) The PRC Government-appointed [Panchen Lama](http://en.wikipedia.org/wiki/Panchen_Lama" \o "Panchen Lama) is labelled a fake[[67]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-67) by those who regard the PRC's effort to control organised religion as contradictory to the Universal Declaration of Human Rights and other ethical principles.

Examples of the political controls exercised over religion in 1998 include:[[68]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-icywind-68)

* quotas on the number of monks to reduce the spiritual population
* forced denunciation of the Dalai Lama as a spiritual leader
* the expulsion of unapproved monks from monasteries
* forced recitation of patriotic scripts supporting China
* Restriction of religious study before age 18

Monks celebrating the reception of the US Congressional Gold Medal[[69]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-69) by the Dalai Lama have been detained by the PRC.[[70]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-70) In November 2012 the United Nations Human Rights Commissioner urged China to address the allegations of rights violations in Tibet; the violations had led to an alarming escalation of 'desperate' forms of protest in the region, including self-immolations.[[39]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-UN_News_Centre-39)

**Falun Gong**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=13)]

*Main articles:*[*History of Falun Gong*](http://en.wikipedia.org/wiki/History_of_Falun_Gong)*and*[*Organ harvesting in the People's Republic of China*](http://en.wikipedia.org/wiki/Organ_harvesting_in_the_People%27s_Republic_of_China)

On 20 July 1999, the government banned [Falun Gong](http://en.wikipedia.org/wiki/Falun_Gong" \o "Falun Gong) and all unauthorised 'heterodox religions', and began a nationwide crackdown on the popular [new religious movement](http://en.wikipedia.org/wiki/New_religious_movement)[[71]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-71) following a demonstration by 10,000 practitioners outside the leadership enclave at [Zhongnanhai](http://en.wikipedia.org/wiki/Zhongnanhai" \o "Zhongnanhai) on 25 April.[[72]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-XIX-72) Protests in Beijing were frequent for the first few years following the 1999 edict, though they have largely been eradicated.[[73]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-wildgrass-73) Practitioners have occasionally hacked into state television channels to broadcast pro-Falun Gong content. Outside mainland China, practitioners are actively appealing to the governments, media, and people of their respective countries to remediate the situation in China.

According to Pulitzer prize-winning journalist [Ian Denis Johnson](http://en.wikipedia.org/wiki/Ian_Denis_Johnson), the government mobilized every aspect of society, including the media apparatus, police force, army, education system, families and workplaces, against Falun Gong.[[73]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-wildgrass-73) An extra-constitutional body, the '6–10 Office', was created to oversee the terror campaign.[[74]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-morais-74) The campaign was driven by large-scale propaganda publicised through television, newspaper, radio and the Internet.[[75]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Leung-75) Human Rights Watch noted that families and workplaces were urged to cooperate with the government, while practitioners themselves were subject to various coercive measures intended to force them to recant their beliefs.[[76]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-dangerous-76) [Amnesty International](http://en.wikipedia.org/wiki/Amnesty_International) raised particular concerns over reports of torture, illegal imprisonment including forced labor, and psychiatric abuses.[[77]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-77)[[78]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-78)

In March 2006, Falun Gong and [*The Epoch Times*](http://en.wikipedia.org/wiki/The_Epoch_Times) claimed that the Chinese government and its agencies, including the [People's Liberation Army](http://en.wikipedia.org/wiki/People%27s_Liberation_Army), were conducting 'widespread and systematic organ harvesting of living practitioners' at the Sujiatun Thrombosis Hospital in [Shenyang](http://en.wikipedia.org/wiki/Shenyang). According to two eye-witness accounts, practitioners detained in the hospital's basement were being tissue-typed and killed.[[79]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-epoch2-79) In July 2006, [David Kilgour](http://en.wikipedia.org/wiki/David_Kilgour) and [David Matas](http://en.wikipedia.org/wiki/David_Matas), who had been requested by a Falun Gong related group to investigate the allegations, published a report concluding that evidence for the claims was circumstantial, but overall supported allegations that large numbers of Falun Gong practitioners were victims of systematic organ harvesting whilst still alive.[[80]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-80)

The Chinese government has refused to believe that its policies constitute any mistreatment of Falun Gong practitioners, and a Chinese Foreign Ministry spokesman denounced the organ harvesting allegations as 'absurd lies concocted by the Falun Gong cult followers'.[[81]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-81) Dissident [Harry Wu](http://en.wikipedia.org/wiki/Harry_Wu) said the two *Epoch Times* witnesses were 'not reliable and most probably they had fabricated the story'; he rejected the totality of the allegations after sending in investigators.[[82]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-82) A [Congressional Research Service](http://en.wikipedia.org/wiki/Congressional_Research_Service)report said that there was 'insufficient evidence to support this specific allegation', without elaboration.[[83]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-lum-83) David Ownby, a noted expert on Falun Gong, said, 'Organ harvesting is happening in China, but I see no evidence proving it is aimed particularly at Falun Gong practitioners.'[[84]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-radiocan-84) Glen McGregor of the [*Ottawa Citizen*](http://en.wikipedia.org/wiki/Ottawa_Citizen) said 'Depending on who you believe, the Kilgour-Matas report is either compelling evidence that proves the claims about Falun Gong... or a collection of conjecture and inductive reasoning that fails to support its own conclusions.'[[85]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-glen-85)

In September 2012, a report published on the website of the US's House Committee on Foreign Affairs stated: 'Medical doctors outside China have confirmed that their patients have gone to China and received organs from Falun Gong practitioners.'[[86]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Damon-86)

**Political freedom**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=14)]

The People's Republic of China is a signatory to the [International Covenant on Civil and Political Rights](http://en.wikipedia.org/wiki/International_Covenant_on_Civil_and_Political_Rights), but has not ratified it. Legally, all citizens of the People's Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of ethnicity, race, sex, occupation, family background, religious belief, education, property status, or length of residence, except for persons deprived of political rights according to laws imposed by CPC regulations.

In Mao's China, the CPC openly [repressed](http://en.wikipedia.org/wiki/Political_repression) all opposing political groups. This behaviour is now reflected in the judicial system, and has evolved into the selective repression of small groups of people who overtly challenge the [CPC's power](http://en.wikipedia.org/wiki/Authoritarianism)[[87]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-87) or its [people's democratic dictatorship](http://en.wikipedia.org/wiki/People%27s_democratic_dictatorship). The most recent major movement advocating for political freedom was obliterated through the [Tiananmen Square Massacre](http://en.wikipedia.org/wiki/Tiananmen_Square_protests_of_1989) in 1989, the estimated death toll of which ranges from about 200 to 10,000 depending on sources.[[88]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-88)[[89]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-TE-89) In November 1992, 192 Chinese political activists and democracy advocates submitted a petition to the 16th [National Congress of the Communist Party of China](http://en.wikipedia.org/wiki/National_Congress_of_the_Communist_Party_of_China) to introduce political reforms. One of the six demands was the ratification of the Covenant. As a reaction to the petition, the Chinese authorities arrested [Zhao Changqing](http://en.wikipedia.org/wiki/Zhao_Changqing), proponent of the petition, and are still holding a number of activists for attempted subversion.

One of the most famous dissidents is [Zhang Zhixin](http://en.wikipedia.org/wiki/Zhang_Zhixin), who is known for standing up against the [ultra-left](http://en.wikipedia.org/wiki/Left_Communism_in_China).[[90]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Scarlet-90)

In October 2008, the government denounced the [European Parliament](http://en.wikipedia.org/wiki/European_Parliament)'s decision to award the [Sakharov Prize for Freedom of Thought](http://en.wikipedia.org/wiki/Sakharov_Prize) to [political prisoner](http://en.wikipedia.org/wiki/Political_prisoner) [Hu Jia](http://en.wikipedia.org/wiki/Hu_Jia_(activist)" \o "Hu Jia (activist)), maintaining that it was 'gross interference in China's domestic affairs' to give such an award to a 'jailed criminal.. in disregard of [the Chinese government's] repeated representations.'[[91]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-91)

On 8 December 2008, two days before the release of [Charter 08](http://en.wikipedia.org/wiki/Charter_08), [Liu Xiaobo](http://en.wikipedia.org/wiki/Liu_Xiaobo) was arrested. He and 302 other Chinese citizens had signed the Charter, a manifesto released on the 60th anniversary of the adoption of the Universal Declaration of Human Rights (10 December 1948), written in the style of the Czechoslovakian [Charter 77](http://en.wikipedia.org/wiki/Charter_77). Charter 08 called for greater freedom of expression, human rights, and free elections.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] As of May 2009, the Charter had collected over 9,000 signatures from Chinese of various walks of life.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

Although the Chinese government does not violate its people's privacy as much or as overtly as it used to,[[92]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-92) it still deems it necessary to keep track of what people say in public. Internet forums are strictly monitored, as are international postal mail (which sometimes is inexplicably delayed, or simply disappears) and e-mail.[[93]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-autogenerated4-93)

Local officials are chosen by election, and even though non-Communist Party candidates are allowed to stand, those with dissident views can face arbitrary exclusion from the ballot, interference with campaigning, and even [detention](http://en.wikipedia.org/wiki/Arbitrary_detention).[[94]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-94)

[Freedom House](http://en.wikipedia.org/wiki/Freedom_House) rates China as a 6 (the second lowest possible rank) in political freedoms. In 2011, the organization said of the Chinese political leadership:

With a sensitive change of leadership approaching in 2012 and popular uprisings against authoritarian regimes occurring across the Middle East, the ruling Chinese Communist Party showed no signs of loosening its grip on power in 2011. Despite minor legal improvements regarding the death penalty and urban property confiscation, the government stalled or even reversed previous reforms related to the rule of law, while security forces resorted to extralegal forms of repression. Growing public frustration over corruption and injustice fueled tens of thousands of protests and several large outbursts of online criticism during the year. The party responded by committing more resources to internal security forces and intelligence agencies, engaging in the systematic enforced disappearance of dozens of human rights lawyers and bloggers, and enhancing controls over online social media.[[95]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-95)

**Freedom to enjoy a clean and healthy environment**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=15)]

According to the president of the China Society for Human Rights, the pursuit of a clean environment is among the most basic of human rights; [Human Rights Watch](http://en.wikipedia.org/wiki/Human_Rights_Watch)considers clean air, water and soil human rights as well.[[96]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-96) Principle 1 of the [Stockholm Declaration on the Human Environment](http://en.wikipedia.org/wiki/Declaration_of_the_United_Nations_Conference_on_the_Human_Environment), adopted in 1972, establishes a foundation for linking human rights and environmental protection, declaring that 'man has a fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations.[[97]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Human_Rights_and_the_Environment-97) The [International Covenant on Economic, Social and Cultural Rights](http://en.wikipedia.org/wiki/International_Covenant_on_Economic,_Social_and_Cultural_Rights) includes in its enumeration of rights access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions.[[97]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Human_Rights_and_the_Environment-97)

**Air**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=16)]

Air pollution is a major environmental risk to health. The lower the levels of air pollution in a city, the better respiratory, and cardiovascular health of the population. Reducing air pollution reduces [respiratory infections](http://en.wikipedia.org/wiki/Respiratory_infections), [heart disease](http://en.wikipedia.org/wiki/Heart_disease), and [lung cancer](http://en.wikipedia.org/wiki/Lung_cancer).[[98]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-98)

Beijing is classified among the most air-polluted cities by the [World Health Organization](http://en.wikipedia.org/wiki/World_Health_Organization) (WHO).[[99]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-99) In China the air is often unhealthy as a result of [smog](http://en.wikipedia.org/wiki/Smog). In [Beijing](http://en.wikipedia.org/wiki/Beijing) the concentration of dangerous particulate matter in the air rose to 505 mg/m3 in February 2014. The WHO recommends a safe level of under 25 mg/m3.[[100]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-100)

The most air polluted cities in China in 2013 were, in order from greater to lesser: [Xingtai](http://en.wikipedia.org/wiki/Xingtai), [Shijiazhuang](http://en.wikipedia.org/wiki/Shijiazhuang), [Baoding](http://en.wikipedia.org/wiki/Baoding), [Handan](http://en.wikipedia.org/wiki/Handan), [Hengshui](http://en.wikipedia.org/wiki/Hengshui), [Langfang](http://en.wikipedia.org/wiki/Langfang), [Jinan](http://en.wikipedia.org/wiki/Jinan), [Tangshan](http://en.wikipedia.org/wiki/Tangshan),[Zhengzhou](http://en.wikipedia.org/wiki/Zhengzhou) and [Beijing](http://en.wikipedia.org/wiki/Beijing). According to [Greenpeace](http://en.wikipedia.org/wiki/Greenpeace), millions of Chinese live in air pollution above emergency levels for a third of the year, and several cities have had a year with no good-quality air days.[[101]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-101)

One-child policy[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=17)]

*Main article:*[*One-child policy*](http://en.wikipedia.org/wiki/One-child_policy)

[](http://en.wikipedia.org/wiki/File:One_child_policy.jpg)

[http://bits.wikimedia.org/static-1.24wmf3/skins/common/images/magnify-clip.png](http://en.wikipedia.org/wiki/File:One_child_policy.jpg)

Government sign stating: 'For a prosperous, powerful nation and a happy family, please use birth planning.'

China's birth control policy, known widely as the one-child policy, was implemented in 1979 by Chairman Mao Zedong's government to alleviate the overpopulation problem. Having more than one child is illegal and punishable by fines. [Voice of America](http://en.wikipedia.org/wiki/Voice_of_America) cites critics who argue that the policy contributes to forced abortions, human rights violations, female infanticide, abandonment and [sex-selective abortions](http://en.wikipedia.org/wiki/Sex-selective_abortion_and_infanticide), which are believed to be relatively commonplace in some areas of the country.[[102]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-102) Sex-selective abortions are thought to have been a significant contribution to the gender imbalance in mainland China, where there is a 118:100 ratio of male to female children reported.[[103]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-103)[[104]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-104)[[105]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-105) Forced abortions and sterilizations have also been reported.[[106]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-106)[[107]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-107)

It has also been argued that the one-child policy is not effective enough to justify its costs, and that external factors caused a dramatic decrease in Chinese fertility rates to begin even before 1979. The policy seems to have had little impact on rural areas (home to about 80% of the population), where birth rates never dropped below 2.5 children per female.[[108]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-108) Nevertheless, the Chinese government and others estimate that at least 250 million births have been prevented by the policy.[[109]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-stepsup-109)

In 2002, the policy was amended to allow ethnic minorities and Chinese living in rural areas to have more than one child.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] The policy was generally not enforced in rural areas of the country even before this amendment. It has also been relaxed in urban areas, allowing people to have two children.[[110]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-110)

Chinese state-run media reported on 3 June 2013 that the city of [Wuhan](http://en.wikipedia.org/wiki/Wuhan) is considering legislation to fine women who have children out of wedlock, or with men married to other women. The fine is considered a 'social compensation fee', and has been sharply criticized for potentially exacerbating the problem of abandoned children.[[111]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-111)

Executions (Death Penalty/Capital Punishment)[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=18)]

*Main article:*[*Capital punishment in the People's Republic of China*](http://en.wikipedia.org/wiki/Capital_punishment_in_the_People%27s_Republic_of_China)

*See also:*[*Death penalty*](http://en.wikipedia.org/wiki/Death_penalty)

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| --- |
| Part of a series on |
| [**Capital punishment**](http://en.wikipedia.org/wiki/Capital_punishment) |
| **Issues** |
| * [Debate](http://en.wikipedia.org/wiki/Capital_punishment_debate) * [Religion and capital punishment](http://en.wikipedia.org/wiki/Religion_and_capital_punishment) * [Use by country](http://en.wikipedia.org/wiki/Use_of_capital_punishment_by_country) * [Wrongful execution](http://en.wikipedia.org/wiki/Wrongful_execution) * [Drug trafficking](http://en.wikipedia.org/wiki/Capital_punishment_for_drug_trafficking) |
| [**Current use**](http://en.wikipedia.org/wiki/Use_of_capital_punishment_by_country)  Note: *Italics* indicate countries where capital punishment has not been used in the last ten years or that have a [moratorium](http://en.wikipedia.org/wiki/Moratorium_(law)) in effect. |
| * [Afghanistan](http://en.wikipedia.org/wiki/Capital_punishment_in_Afghanistan) * [*Bahamas*](http://en.wikipedia.org/wiki/Capital_punishment_in_the_Bahamas) * [Bangladesh](http://en.wikipedia.org/wiki/Capital_punishment_in_Bangladesh) * [Belarus](http://en.wikipedia.org/wiki/Capital_punishment_in_Belarus) * [Botswana](http://en.wikipedia.org/wiki/Capital_punishment_in_Botswana) * [China](http://en.wikipedia.org/wiki/Capital_punishment_in_China) * [*Cuba*](http://en.wikipedia.org/wiki/Capital_punishment_in_Cuba) * [Egypt](http://en.wikipedia.org/wiki/Capital_punishment_in_Egypt) * [*Guatemala*](http://en.wikipedia.org/wiki/Capital_punishment_in_Guatemala) * [India](http://en.wikipedia.org/wiki/Capital_punishment_in_India) * [Indonesia](http://en.wikipedia.org/wiki/Capital_punishment_in_Indonesia) * [Iran](http://en.wikipedia.org/wiki/Capital_punishment_in_Iran) * [Iraq](http://en.wikipedia.org/wiki/Capital_punishment_in_Iraq) * [Japan](http://en.wikipedia.org/wiki/Capital_punishment_in_Japan) * [North Korea](http://en.wikipedia.org/wiki/Capital_punishment_in_North_Korea) * [*South Korea*](http://en.wikipedia.org/wiki/Capital_punishment_in_South_Korea) * [Lebanon](http://en.wikipedia.org/wiki/Capital_punishment_in_Lebanon) * [Malaysia](http://en.wikipedia.org/wiki/Capital_punishment_in_Malaysia) * [Pakistan](http://en.wikipedia.org/wiki/Capital_punishment_in_Pakistan) * [*Russia*](http://en.wikipedia.org/wiki/Capital_punishment_in_Russia) * [Saudi Arabia](http://en.wikipedia.org/wiki/Capital_punishment_in_Saudi_Arabia) * [Singapore](http://en.wikipedia.org/wiki/Capital_punishment_in_Singapore) * [Somalia](http://en.wikipedia.org/wiki/Capital_punishment_in_Somalia) * [*Sri Lanka*](http://en.wikipedia.org/wiki/Capital_punishment_in_Sri_Lanka) * [*Suriname*](http://en.wikipedia.org/wiki/Capital_punishment_in_Suriname) * [Syria](http://en.wikipedia.org/wiki/Capital_punishment_in_Syria) * [Taiwan](http://en.wikipedia.org/wiki/Capital_punishment_in_Taiwan) * [*Tajikistan*](http://en.wikipedia.org/wiki/Capital_punishment_in_Tajikistan) * [*Tonga*](http://en.wikipedia.org/wiki/Capital_punishment_in_Tonga) * [United Arab Emirates](http://en.wikipedia.org/wiki/Capital_punishment_in_the_United_Arab_Emirates) * [United States](http://en.wikipedia.org/wiki/Capital_punishment_in_the_United_States) * [Uzbekistan](http://en.wikipedia.org/wiki/Capital_punishment_in_Uzbekistan) * [Vietnam](http://en.wikipedia.org/wiki/Capital_punishment_in_Vietnam) * [Yemen](http://en.wikipedia.org/wiki/Capital_punishment_in_Yemen) |
| [**Past use**](http://en.wikipedia.org/wiki/Use_of_capital_punishment_by_country) |
| * [Australia](http://en.wikipedia.org/wiki/Capital_punishment_in_Australia) * [Austria](http://en.wikipedia.org/wiki/Capital_punishment_in_Austria) * [Belgium](http://en.wikipedia.org/wiki/Capital_punishment_in_Belgium) * [Bhutan](http://en.wikipedia.org/wiki/Capital_punishment_in_Bhutan) * [Brazil](http://en.wikipedia.org/wiki/Capital_punishment_in_Brazil) * [Bulgaria](http://en.wikipedia.org/wiki/Capital_punishment_in_Bulgaria) * [Canada](http://en.wikipedia.org/wiki/Capital_punishment_in_Canada) * [Cyprus](http://en.wikipedia.org/wiki/Capital_punishment_in_Cyprus) * [Denmark](http://en.wikipedia.org/wiki/Capital_punishment_in_Denmark) * [Ecuador](http://en.wikipedia.org/wiki/Capital_punishment_in_Ecuador) * [France](http://en.wikipedia.org/wiki/Capital_punishment_in_France) * [Germany](http://en.wikipedia.org/wiki/Capital_punishment_in_Germany) * [Gibraltar](http://en.wikipedia.org/wiki/Capital_punishment_in_Gibraltar) * [Hong Kong](http://en.wikipedia.org/wiki/Capital_punishment_in_Hong_Kong) * [Hungary](http://en.wikipedia.org/wiki/Capital_punishment_in_Hungary) * [Ireland](http://en.wikipedia.org/wiki/Capital_punishment_in_Ireland) * [Israel](http://en.wikipedia.org/wiki/Capital_punishment_in_Israel) * [Italy](http://en.wikipedia.org/wiki/Capital_punishment_in_Italy) * [Liechtenstein](http://en.wikipedia.org/wiki/Capital_punishment_in_Liechtenstein) * [Macau](http://en.wikipedia.org/wiki/Capital_punishment_in_Macau) * [Mexico](http://en.wikipedia.org/wiki/Capital_punishment_in_Mexico) * [Mongolia](http://en.wikipedia.org/wiki/Capital_punishment_in_Mongolia) * [Netherlands](http://en.wikipedia.org/wiki/Capital_punishment_in_the_Netherlands) * [New Zealand](http://en.wikipedia.org/wiki/Capital_punishment_in_New_Zealand) * [Norway](http://en.wikipedia.org/wiki/Capital_punishment_in_Norway) * [Philippines](http://en.wikipedia.org/wiki/Capital_punishment_in_the_Philippines) * [Poland](http://en.wikipedia.org/wiki/Capital_punishment_in_Poland) * [Portugal](http://en.wikipedia.org/wiki/Capital_punishment_in_Portugal) * [Romania](http://en.wikipedia.org/wiki/Capital_punishment_in_Romania) * [San Marino](http://en.wikipedia.org/wiki/Capital_punishment_in_San_Marino) * [Serbia](http://en.wikipedia.org/wiki/Capital_punishment_in_Serbia) * [South Africa](http://en.wikipedia.org/wiki/Capital_punishment_in_South_Africa) * [Spain](http://en.wikipedia.org/wiki/Capital_punishment_in_Spain) * [Sweden](http://en.wikipedia.org/wiki/Capital_punishment_in_Sweden) * [Switzerland](http://en.wikipedia.org/wiki/Capital_punishment_in_Switzerland) * [Turkey](http://en.wikipedia.org/wiki/Capital_punishment_in_Turkey) * [Ukraine](http://en.wikipedia.org/wiki/Capital_punishment_in_Ukraine) * [United Kingdom](http://en.wikipedia.org/wiki/Capital_punishment_in_the_United_Kingdom) * [Venezuela](http://en.wikipedia.org/wiki/Capital_punishment_in_Venezuela) |
| [**Methods still in use**](http://en.wikipedia.org/wiki/List_of_methods_of_capital_punishment) |
| * [Decapitation](http://en.wikipedia.org/wiki/Decapitation) * [Electrocution](http://en.wikipedia.org/wiki/Electric_chair) * [Firing squad](http://en.wikipedia.org/wiki/Execution_by_firing_squad) * [Gas chamber](http://en.wikipedia.org/wiki/Gas_chamber) * [Hanging](http://en.wikipedia.org/wiki/Hanging) * [Lethal injection](http://en.wikipedia.org/wiki/Lethal_injection) * [Shooting](http://en.wikipedia.org/wiki/Execution_by_shooting) * [Stoning](http://en.wikipedia.org/wiki/Stoning) |
| [**Methods no longer in use**](http://en.wikipedia.org/wiki/List_of_methods_of_capital_punishment) |
| * [Bestiarii](http://en.wikipedia.org/wiki/Bestiarii#As_a_form_of_execution) * [Blowing from a gun](http://en.wikipedia.org/wiki/Blowing_from_a_gun) * [Boiling](http://en.wikipedia.org/wiki/Death_by_boiling) * [Breaking wheel](http://en.wikipedia.org/wiki/Breaking_wheel) * [Burning](http://en.wikipedia.org/wiki/Death_by_burning) * [Crucifixion](http://en.wikipedia.org/wiki/Crucifixion) * [Crushing](http://en.wikipedia.org/wiki/Crushing_(execution)) * [Disembowelment](http://en.wikipedia.org/wiki/Disembowelment) * [Dismemberment](http://en.wikipedia.org/wiki/Dismemberment) * [Drowning](http://en.wikipedia.org/wiki/Drowning#Capital_punishment) * [Elephant](http://en.wikipedia.org/wiki/Execution_by_elephant) * [Falling](http://en.wikipedia.org/wiki/Falling_(execution)) * [Flaying](http://en.wikipedia.org/wiki/Flaying) * [Garrote](http://en.wikipedia.org/wiki/Garrote#Execution_device) * [Hanged, drawn and quartered](http://en.wikipedia.org/wiki/Hanged,_drawn_and_quartered) * [Immurement](http://en.wikipedia.org/wiki/Immurement) * [Impalement](http://en.wikipedia.org/wiki/Impalement) * [Live burial](http://en.wikipedia.org/wiki/Buried_alive#Execution_by_burial) * [Mazzatello](http://en.wikipedia.org/wiki/Mazzatello) * [Sawing](http://en.wikipedia.org/wiki/Death_by_sawing) * [Scaphism](http://en.wikipedia.org/wiki/Scaphism) * [Slow slicing](http://en.wikipedia.org/wiki/Slow_slicing) * [Suffocation in ash](http://en.wikipedia.org/wiki/Suffocation_in_ash) |
| [**Civil death**](http://en.wikipedia.org/wiki/Civil_death) |
| * [Castaway](http://en.wikipedia.org/wiki/Castaway) * [Exile / Banishment](http://en.wikipedia.org/wiki/Exile) * [Felons](http://en.wikipedia.org/wiki/Loss_of_rights_due_to_felony_conviction) * [Marooning](http://en.wikipedia.org/wiki/Marooning) * [Ostracism](http://en.wikipedia.org/wiki/Ostracism) * [Outlaw](http://en.wikipedia.org/wiki/Outlaw) * [Petalism](http://en.wikipedia.org/wiki/Petalism) |
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| * [v](http://en.wikipedia.org/wiki/Template:Capital_punishment) * [t](http://en.wikipedia.org/wiki/Template_talk:Capital_punishment) * [e](http://en.wikipedia.org/w/index.php?title=Template:Capital_punishment&action=edit) |

According to Amnesty International, throughout the 1990s more people were executed or sentenced to death in China than in the rest of the world put together.[[15]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Becker-15)

The death penalty in mainland China is officially administered only to offenders of serious and violent crimes, such as[aggravated murder](http://en.wikipedia.org/wiki/Aggravation_(legal_concept)), but China retains in law a number of nonviolent death penalty offences such as [drug trafficking](http://en.wikipedia.org/wiki/Drug_trafficking_in_China). The People's Republic of China administers more official [death penalties](http://en.wikipedia.org/wiki/Death_penalty) than any other country, though other countries (such as Iran and Singapore) have higher official execution rates.[[112]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-wp-112) Reliable NGOs such as Amnesty International and Human Rights in China have informed the public that the total execution numbers, with unofficial death penalties included, greatly exceed officially recorded executions; in 2009, the [Dui Hua Foundation](http://en.wikipedia.org/wiki/Dui_Hua_Foundation) estimated that 5,000 people were executed in China – far more than all other nations combined.[[113]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Duihua-113) The precise number of executions is regarded as a state secret.

[PRC authorities](http://en.wikipedia.org/wiki/Government_of_the_People%27s_Republic_of_China) have recently been pursuing measures to reduce the official number of crimes punishable by death and limit how much they officially utilise the death penalty. In 2011, the [National People's Congress Standing Committee](http://en.wikipedia.org/wiki/National_People%27s_Congress_Standing_Committee)adopted an amendment to reduce the number of capital crimes from 68 to 55.[[114]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-114) Later the same year, the [Supreme People's Court](http://en.wikipedia.org/wiki/Supreme_People%27s_Court_of_the_People%27s_Republic_of_China) ordered lower courts to suspend death sentences for two years and to 'ensure that it only applies to a very small minority of criminals committing extremely serious crimes.'[[115]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-ibt-115)

The death penalty is one of the classical [Five Punishments](http://en.wikipedia.org/wiki/Five_Punishments) of the [Chinese Dynasties](http://en.wikipedia.org/wiki/Chinese_Dynasties). In [Chinese philosophy](http://en.wikipedia.org/wiki/Chinese_philosophy), the death penalty was supported by the [Legalists](http://en.wikipedia.org/wiki/Legalism_(Chinese_philosophy)), but its application was tempered by the [Confucianists](http://en.wikipedia.org/wiki/Confucianism" \o "Confucianism), who preferred rehabilitation over punishment of any sort, including capital punishment.[[116]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Scobell-116) In Communist philosophy, [Vladimir Lenin](http://en.wikipedia.org/wiki/Vladimir_Lenin) urged the retention of the death penalty, whilst [Karl Marx](http://en.wikipedia.org/wiki/Karl_Marx) and [Friedrich Engels](http://en.wikipedia.org/wiki/Friedrich_Engels) claimed that the practice was feudal and a symbol of capitalist oppression. Chairman Mao of the Communist Party of China and his government retained the death penalty's place in the legal system, whilst advocating that it be used for a limited number of [counterrevolutionaries](http://en.wikipedia.org/wiki/Counter-revolutionary). The market reformer [Deng Xiaoping](http://en.wikipedia.org/wiki/Deng_Xiaoping) after him stressed that the practice must not be abolished, and advocated its wider use against[recidivists](http://en.wikipedia.org/wiki/Recidivism) and [corrupt officials](http://en.wikipedia.org/wiki/Corruption_in_the_People%27s_Republic_of_China). Leaders of the PRC's [minor, non-communist](http://en.wikipedia.org/wiki/List_of_political_parties_in_the_People%27s_Republic_of_China) parties have also advocated for greater use of the death penalty. Both Deng and Mao viewed the death penalty as having tremendous popular support, and portrayed the practice as a means to 'assuage the people's anger'.[[116]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Scobell-116)

The death penalty has widespread support in China, especially for violent crimes, and no group in government or civil society vocally advocates for its abolition.[[116]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Scobell-116) Surveys conducted by the [Chinese Academy of Social Sciences](http://en.wikipedia.org/wiki/Chinese_Academy_of_Social_Sciences) in 1995, for instance, found that 95 percent of the Chinese population supported the death penalty, and these results were mirrored in other studies.[[117]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-117) Polling conducted in 2007 in Beijing, [Hunan](http://en.wikipedia.org/wiki/Hunan) and [Guangdong](http://en.wikipedia.org/wiki/Guangdong) found a more moderate 58 percent in favor of the death penalty, and further found that a majority (63.8 percent) believed that the government should release execution statistics to the public.[[113]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Duihua-113)

A total of 55 crimes are punishable by death, including some non-violent, [white-collar crimes](http://en.wikipedia.org/wiki/White-collar_crime) such as [embezzlement](http://en.wikipedia.org/wiki/Embezzlement) and[tax fraud](http://en.wikipedia.org/wiki/Tax_fraud). Execution methods include lethal injections and shooting.[[118]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-amnesty2008-118) The [People's Armed Police](http://en.wikipedia.org/wiki/People%27s_Armed_Police) carries out the executions, usually at 10:00 a.m.[[119]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-119)

Death sentences in post-[Maoist](http://en.wikipedia.org/wiki/Maoist) mainland China can be politically or socially influenced. In 2003, a local court sentenced the leader of a [triad society](http://en.wikipedia.org/wiki/Triad_society) to a death sentence with two years of probation. However, the public opinion was that the sentence was too light. Under public pressure, the supreme court of Communist China took the case and retried the leader, resulting in a death sentence, which was carried out immediately.[[120]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-120)

**Execution protocol**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=19)]

The execution protocol is defined in criminal procedure law, under article 212:[[121]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-121)

Before a people's court executes a death sentence, it shall notify the people's procuratorate at the same level to send personnel to supervise the execution.

Death sentences shall be executed by means of shooting or injection.

Death sentences may be executed at the execution ground or in designated places of custody.

The judicial personnel directing the execution shall verify the identity of the criminal offender, ask him if he has any last words or letters, and then deliver him to the executioner for the death sentence. If, before the execution, it is found that there may be an error, the execution shall be suspended and the matter shall be reported to the Supreme People's Court for decision.

Execution of death sentences shall be announced to the public, but shall not be held in public.

The attending court clerk shall, after an execution, make a written record thereon. The people's court that caused the death sentence to be executed shall submit a report on the execution to the Supreme People's Court.

The people's court that caused the death sentence to be executed shall, after the execution, notify the family of the criminal offender.

In some areas of China, there is no specific execution ground. A scout team chooses a place in advance to serve as the execution ground. In such a case, the execution ground normally will have three perimeters: the innermost 50 meters is the responsibility of the execution team; the 200-meter radius from the center is the responsibility of the [People's Armed Police](http://en.wikipedia.org/wiki/People%27s_Armed_Police); and the 2-kilometer alert line is the responsibility of the local police. The public is generally not allowed to view the execution.

The role of the executioner was fulfilled in the past by the People's Armed Police. In recent times, the legal police force (Chinese: 法警; pinyin: *fǎ jǐng*) assumed this role.

Since 1949, the most common method of execution has been [execution by firing squad](http://en.wikipedia.org/wiki/Execution_by_firing_squad). This method has been largely superseded by [lethal injection](http://en.wikipedia.org/wiki/Lethal_injection), using the same three-drug cocktail pioneered by [the United States](http://en.wikipedia.org/wiki/Capital_punishment_in_the_United_States), introduced in 1996. [Execution vans](http://en.wikipedia.org/wiki/Execution_van) are unique to China, however. Lethal injection is more commonly used for 'economic crimes' such as corruption, while firing squads are used for more common crimes like murder. In 2010, Chinese authorities moved to have lethal injection become the dominant form of execution; in some provinces and municipalities, it is now the only legal form of capital punishment.[[122]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-122) The Dui Hua foundation notes that it is impossible to ascertain whether these guidelines are closely followed, as the method of execution is rarely specified in published reports.[[113]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Duihua-113)

**Criticism**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=20)]

Human rights groups and foreign governments have heavily criticised China's use of the death penalty for a variety of reasons, including its application for non-violent offences, allegations of the use of torture to extract confessions, legal proceedings that do not meet international standards, and the government's failure to publish statistics on the death penalty.[[123]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-123) However, as acknowledged by both the [Chinese Supreme Court](http://en.wikipedia.org/wiki/Supreme_People%27s_Court_of_the_People%27s_Republic_of_China) and the [United States Department of State](http://en.wikipedia.org/wiki/United_States_Department_of_State), the vast majority of death sentences are given for violent, nonpolitical crimes which would be considered serious in other countries.[[116]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Scobell-116)

The [Coalition to Investigate the Persecution of Falun Gong](http://en.wikipedia.org/wiki/Coalition_to_Investigate_the_Persecution_of_Falun_Gong) has accused Chinese hospitals of using the organs of executed prisoners for [commercial transplantation](http://en.wikipedia.org/wiki/Organ_transplantation_in_China).[[124]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-124)Under Chinese law, condemned prisoners must give written consent to become organ donors, but because of this and other legal restrictions on organ donation, an international [black market](http://en.wikipedia.org/wiki/Black_market) in organs and cadavers from China has developed.[[125]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-125)[[126]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-126) In 2009, Chinese authorities acknowledged that two-thirds of organ transplants in the country could be traced back to executed prisoners and announced a crackdown on the practice.[[127]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-127)

**Wrongful executions**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=21)]

At least four people have been considered wrongfully executed by PRC courts.

[Wei Qingan](http://en.wikipedia.org/w/index.php?title=Wei_Qingan&action=edit&redlink=1) (Chinese: 魏清安, circa 1951 – 1984) was a Chinese citizen who was executed for the rape of Liu, a woman who had disappeared. The execution was carried out on 3 May 1984 by the Intermediate People's Court. In the next month, Tian Yuxiu (田玉修) was arrested and admitted that he had committed the rape. Three years later, Wei was officially declared innocent.[[128]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-128)

[Teng Xingshan](http://en.wikipedia.org/w/index.php?title=Teng_Xingshan&action=edit&redlink=1) (Chinese: 滕兴善, ? – 1989) was a Chinese citizen who was executed for having raped, robbed and murdered Shi Xiaorong (石小荣), a woman who had disappeared. An old man found a dismembered body, and incompetent police forensics claimed to have matched the body to the photo of the missing Shi Xiaorong. The execution was carried out on 28 January 1989 by the [Huaihua](http://en.wikipedia.org/wiki/Huaihua" \o "Huaihua) Intermediate People's Court. In 1993, the missing woman returned to the village, saying she had been kidnapped to Shandong. The absolute innocence of the wrongfully executed Teng was not admitted until 2005.[[129]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-129)

[Nie Shubin](http://en.wikipedia.org/w/index.php?title=Nie_Shubin&action=edit&redlink=1) (Chinese: 聂树斌, 1974 – 1995) was a Chinese citizen who was executed for the rape and murder of Kang Juhua (康菊花), a woman in her thirties. The execution was carried out on 27 April 1995 by the [Shijiazhuang](http://en.wikipedia.org/wiki/Shijiazhuang) Intermediate People's Court. In 2005, ten years after the execution, Wang Shujin (Chinese: 王书金) admitted to the police that he had committed the murder.[[130]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-130)

[Qoγsiletu](http://en.wikipedia.org/w/index.php?title=Qo%CE%B3siletu&action=edit&redlink=1) (Chinese: [呼格吉勒图](http://zh.wikipedia.org/wiki/%E5%91%BC%E6%A0%BC%E5%90%89%E5%8B%92%E5%9B%BE), 1977 – 1996) was an [Inner Mongolian](http://en.wikipedia.org/wiki/Inner_Mongolia) who was executed for the rape and murder of a young girl on 10 June 1996. On 5 December 2006, ten years after the execution, Zhao Zhihong (Chinese: 赵志红) wrote the *Petition of my Death Penalty*, admitting that he had committed the crime.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

Torture[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=22)]

*Further information:*[*Re-education through labour*](http://en.wikipedia.org/wiki/Re-education_through_labour)*and*[*black jails*](http://en.wikipedia.org/wiki/Black_jails)

Although China outlawed torture in 1996, human rights groups say brutality and degradation are common in Chinese [arbitrary detention](http://en.wikipedia.org/wiki/Arbitrary_detention) centres which utilise [re-education through labour](http://en.wikipedia.org/wiki/Re-education_through_labour) methods and in CPC-operated [black jails](http://en.wikipedia.org/wiki/Black_jails), which allegedly utilise brutal torture methods. The Communist party and other authorities of the PRC strongly deny facilitating the operation of black jails.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

In May 2010, the [PRC authorities](http://en.wikipedia.org/wiki/Government_of_the_People%27s_Republic_of_China) officially passed new regulations in an attempt to nullify evidence gathered through violence or intimidation in their official judicial procedures, and to reduce the level of torture administered to prisoners already in jails. Little is known, however, about whether or how procedures were modified in black jails, which are not officially part of the judicial system. The move came after a public outcry following the revelation that a farmer, convicted for murder based on his confession under torture, was in fact innocent. The case came to light only when his alleged victim was found alive, after the defendant had spent ten years in prison.[[131]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-131)International human rights groups gave the change a cautious welcome.[[132]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-NYTmay2010-132)

Political abuse of psychiatry[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=23)]

*Main article:*[*Political abuse of psychiatry § China*](http://en.wikipedia.org/wiki/Political_abuse_of_psychiatry#China)

In 2002, [Human Rights Watch](http://en.wikipedia.org/wiki/Human_Rights_Watch) published a book by [Robin Munro](http://en.wikipedia.org/wiki/Robin_Munro), titled *Dangerous Minds: Political Psychiatry in China Today and its Origins in the Mao Era* and based on documents obtained by him.[[133]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Munro-133)[[134]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Munro_HTML-134) Munro is a sinologist who was writing his dissertation in London after a long sojourn in China. He had travelled to China several times to survey libraries in provincial towns and had gathered a large amount of literature which bore the stamp 'secret', though it was openly available.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):242 This literature included historical analyses going back to the days of the [Cultural Revolution](http://en.wikipedia.org/wiki/Cultural_Revolution), and concerned articles and reports on the number of people who were taken to mental hospitals because they complained of a series of issues.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):242 Munro found that the involuntary confinement of members of religious groups, political dissidents, and whistleblowers had a lengthy history in China.[[136]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Freedman-136) The abuse had begun in the 1950s and 1960s, and had grown extremely prevalent throughout the Cultural Revolution from 1966 to 1976.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):242 It achieved its apogee during that period, under the reign of [Mao Zedong](http://en.wikipedia.org/wiki/Mao_Zedong) and the [Gang of Four](http://en.wikipedia.org/wiki/Gang_of_Four), who had established a very repressive and harsh regime.[[136]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Freedman-136) No deviance or opposition in thought or in practice was tolerated.[[136]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Freedman-136)

The documents told of a massive abuse of psychiatry for political purposes during the leadership of Mao Zedong, during which millions of people had been declared mentally sick.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):242 In the 1980s, according to the official documents, there was political involvement in fifteen per cent of all forensic psychiatric cases.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):242 By the early 1990s, the numbers had dropped to five per cent, but with beginning of the campaign against Falun Gong, the percentage again increased quite rapidly.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):242

Chinese official psychiatric literature testifies distinctly that the Communist Party's notion of 'political dangerousness' has long since been institutionally engrafted into the diagnostic armory of China's psychiatry, and included in the main concept of psychiatric dangerousness.[[133]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Munro-133):4

The People’s Republic of China is the only country which appears to abuse psychiatry for political purposes in a systematic way, and despite international criticism, this abuse seems to be continuing as of 20`0.[[137]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2010-137) Political abuse of psychiatry in the People’s Republic of China is high on the agenda in the international psychiatric community, and has produced recurring disputes.[[137]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2010-137) The abuses there appear to be even more widespread than in the Soviet Union in the 1970s and 1980s and involve the incarceration of petitioners, human rights workers, trade union activists, followers of the Falun Gong movement, and people complaining against injustices by local authorities.[[137]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2010-137)

It appears that before 1989, China had few if any high security forensic institutions.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243 However, since then, the Chinese authorities have constructed an entire network of special forensic mental hospitals called *Ankang*, which means 'Peace and Health' in Chinese.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243 By 2009, China had had 20 *Ankang* institutions staffed by employees of the Ministry of State Security.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243 The psychiatrists who worked there were wearing uniforms under their white coats.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243

The political abuse of psychiatry in China seems to take place only in the institutions under the authority of the police and the Ministry of State Security, not in those belonging to other governmental sectors.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243 Psychiatric care in China falls into four sectors that rarely overlap:[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243

* *Ankang* institutions of the Ministry of State Security
* institutions belonging to the police
* institutions that fall under the authority of the Ministry of Social Affairs
* institutions belonging to the Ministry of Health.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243

The sectors belonging to the police and to the Ministry of State Security are closed sectors, and, consequently, information about them rarely leaks out.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243 In the hospitals belonging to the Ministry of Health, psychiatrists did not contact the *Ankang* institutions, and had no idea of what occurred there; they could sincerely state that they were not informed of political abuse of psychiatry in China.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243

In China, the structure of forensic psychiatry was to a great extent identical to that in the USSR.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243 This is not strange, since psychiatrists of the [Moscow Serbsky Institute](http://en.wikipedia.org/wiki/Moscow_Serbsky_Institute) visited Beijing in 1957 to help their Chinese brethren: the same psychiatrists who promoted the system of [political abuse of psychiatry in the Soviet Union](http://en.wikipedia.org/wiki/Political_abuse_of_psychiatry_in_the_Soviet_Union).[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):243As a consequence, diagnostics were not much different than in the Soviet Union.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):244 The only difference was that the Soviets preferred [sluggish schizophrenia](http://en.wikipedia.org/wiki/Sluggish_schizophrenia) as a diagnosis, and the Chinese generally clove to the diagnosis of [paranoia](http://en.wikipedia.org/wiki/Paranoia) or [paranoid schizophrenia](http://en.wikipedia.org/wiki/Paranoid_schizophrenia).[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):244 However, the results were the same: long hospitalization in a mental hospital, involuntary treatment with [neuroleptics](http://en.wikipedia.org/wiki/Neuroleptic" \o "Neuroleptic), torture, abuse, all aimed at breaking the victim's will.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):244

In accordance with Chinese law that defines political harm to society as legally dangerous mentally ill behavior, police take into mental hospitals 'political maniacs,' defined as persons who write reactionary letters, make anti-government speeches, or 'express opinions on important domestic and international affairs.'[[138]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-NYT-138) Psychiatrists are frequently caught involved in such cases, unable and unwilling to challenge the police, according to [Peking University](http://en.wikipedia.org/wiki/Peking_University) psychiatry professor Yu Xin.[[139]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Demick-139) As Mr. Liu's database suggests, today’s most frequent victims of psychiatric abuse are political dissidents, petitioners, and Falun Gong members.[[140]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-LaFraniere-140) In the early 2000s, Human Rights Watch accused China of locking up Falun Gong members and dissidents in a number of Chinese mental hospitals managed by the Public Security Bureau.[[140]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-LaFraniere-140)Access to the hospitals was requested by the [World Psychiatric Association](http://en.wikipedia.org/wiki/World_Psychiatric_Association) (WPA), but denied by China, and the controversy subsided.[[140]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-LaFraniere-140)

The WPA attempted to present the problem as solely a Falun Gong issue. They appeared to desire, among other things, to make the impression that the members of the movement were likely not mentally sound, and that it was a sect which likely brainwashed its members.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):245 They created a diagnosis of 'qigong syndrome', referring to the exercises practiced by Falun Gong.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):245 The WPA was trying to avoid the political abuse of psychiatry from dominating its agenda.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):245

In August 2002, the General Assembly of the WPA was held during the WPA World Congress in [Yokohama](http://en.wikipedia.org/wiki/Yokohama).[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):247 The issue of Chinese political abuse of psychiatry had been placed as one of the final items on the agenda of the General Assembly.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):251 When the issue was broached during the General Assembly, a decision was made to send an investigative mission to China.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):252 The visit was projected for the spring of 2003, in order to assure that a representative of the WPA could present a report during the Annual Meeting of the [American Psychiatric Association](http://en.wikipedia.org/wiki/American_Psychiatric_Association) in May 2003, as well as at the annual meeting of the British [Royal College of Psychiatrists](http://en.wikipedia.org/wiki/Royal_College_of_Psychiatrists) in June and July of that year.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):252 The 2003 investigative mission never took place, and when the WPA did organize a visit to China, it was more a scientific exchange.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):252In the meantime, the political abuse of psychiatry persisted unabated.[[135]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-van_Voren_2009-135):252

Ethnic minorities[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=24)]

*Main articles:*[*List of ethnic groups in China*](http://en.wikipedia.org/wiki/List_of_ethnic_groups_in_China)*,*[*List of endangered languages in China*](http://en.wikipedia.org/wiki/List_of_endangered_languages_in_China)*,*[*Ethnic minorities in China*](http://en.wikipedia.org/wiki/Ethnic_minorities_in_China)*and*[*Affirmative action in China*](http://en.wikipedia.org/wiki/Affirmative_action_in_China)

There are 55 [officially recognized native ethnic minorities](http://en.wikipedia.org/wiki/Zhonghua_Minzu) in China. Article 4 of the Chinese constitution states 'All nationalities in the People's Republic of China are equal', and the government argues that it has made efforts to improve ethnic education and increased ethnic representation in local government. Some groups are still fighting for recognition as minorities. In the 1964 Census, there were 183 nationalities registered, of which the government recognized 54.[[141]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-141)

Some policies cause [reverse racism](http://en.wikipedia.org/wiki/Reverse_racism), in which Han Chinese or even ethnic minorities from other regions are treated as second-class citizens in the ethnic region.[[142]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-142)[[143]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-143)Similarly, there are wide-ranging preferential policies ([affirmative action](http://en.wikipedia.org/wiki/Affirmative_action) programs) in place to promote social and economic development for ethnic minorities, including preferential employment, political appointments, and business loans.[[144]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-144) Universities typically have quotas reserved for ethnic minorities, even if they have lower admission test scores.[[145]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-145) Ethnic minorities are also more often exempt from the [one-child policy](http://en.wikipedia.org/wiki/One-child_policy), which targets the Han Chinese.

Stern punishments of independence-seeking demonstrators, rioters, or terrorists[[146]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-146) have led to mistreatment of the [Tibetan](http://en.wikipedia.org/wiki/Tibetan_people) and [Uyghur](http://en.wikipedia.org/wiki/Uyghur_people) minorities in Western China. The United States in 2007 refused to help repatriate five Chinese Uyghur [Guantanamo Bay detainees](http://en.wikipedia.org/wiki/Guantanamo_Bay_detention_camp) because of 'past treatment of the Uigur minority'.[[147]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-147) On the other hand, China has many border regions with large minority populations. For example, [Guangxi](http://en.wikipedia.org/wiki/Guangxi) has 16 million [Zhuang people](http://en.wikipedia.org/wiki/Zhuang_people" \o "Zhuang people), and other concentrated Muslim populations such as the [Hui people](http://en.wikipedia.org/wiki/Hui_people" \o "Hui people). Some populations, such as the [Dongxiang](http://en.wikipedia.org/wiki/Dongxiang_people), [Bonan](http://en.wikipedia.org/wiki/Bonans" \o "Bonans), and [Salar](http://en.wikipedia.org/wiki/Salar_people" \o "Salar people), are even poorer than the Uyghurs; and there have been 'no reports of separatism, violence, or even Islamic radicalism'[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] among them. The fellow Muslim [Kazakhs](http://en.wikipedia.org/wiki/Kazakh_people), who live with the Uyghurs in the [Xinjiang](http://en.wikipedia.org/wiki/Xinjiang) area under similar laws and conditions, have not organized rebellions against the state or aligned themselves with [Kazakhstan](http://en.wikipedia.org/wiki/Kazakhstan).[[148]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-148)

Beijing has encouraged massive investment in the region and Uyghurs feel that they are gradually losing not only their lands and autonomy, but also their identity.[[149]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-149) In its 2007 annual report to the U.S. Congress, the Congressional-Executive Commission on China said the Chinese government "provides incentives for migration to the region from elsewhere in China.[[150]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-150) Large-scale population transfers transformed the [Han Chinese](http://en.wikipedia.org/wiki/Han_Chinese) share of the total population in Xinjiang from 6 to over 40 percent since the 1940s,[[151]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-151) and the government has been accused of "ethnic dilution" in the region through tactics such as waiving the [one-child policy](http://en.wikipedia.org/wiki/One-child_policy) for Han Chinese migrants to Xinjiang,[[152]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-152)[[153]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-153)[[154]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-154) and registering the children of mixed couples as solely [Chinese](http://en.wikipedia.org/wiki/Han_Chinese):[[155]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-155)

Discriminatory policies favouring the Han Chinese over the locals in access to jobs, education, health care and other services, combined with Beijing's insensitivity to traditional cultural and religious mores in Xinjiang, have compounded Muslim resentment at being treated as second-class citizens in their homeland. China's assimilation policies are particularly offensive to traditional values. For example, financial rewards are given to Han Chinese who intermarry with Muslim ethnics but any offspring are registered only as Chinese. In what is perhaps the ultimate attempt at ethnic dilution, China's strict one-child policy has been waived for Han Chinese willing to move to Xinjiang; they are allowed to have two children, a fringe benefit which encourages further immigration. In effect, there has been a systematic policy to reduce the Muslim heritage of Xinjiang.

Ethnic minorities in China accuse Chinese government of pursying a policy of [forced assimilation](http://en.wikipedia.org/wiki/Forced_assimilation), [cultural genocide](http://en.wikipedia.org/wiki/Cultural_genocide) and [religious repression](http://en.wikipedia.org/wiki/Religious_repression). [[156]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-org-156) An ethnic minority source from Xinjiang stated:[[156]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-org-156)

The Chinese authorities harden state policies and adopted measures that control, interfere and deliberately manipulate minority communities' life. Local authorities abuse their power to police and dictate the day-to-day existence of our communities. It is an impossible way of living that is gradually erasing our culture and tradition. China is staging a silent cultural genocide in Xinjian that no one seems willing to halt.

Chinese President [Xi Jinping](http://en.wikipedia.org/wiki/Xi_Jinping) said on April 2014 that China faces increasing threats to national security and the government could impose tougher controls on its ethnic minorities.[[157]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-157)

Tibetans[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=25)]

*See also:*[*Human rights in Tibet*](http://en.wikipedia.org/wiki/Human_rights_in_Tibet)

Tibetans who opposed the diversion of irrigation water by Chinese authorities to the [China Gold International Resources](http://en.wikipedia.org/wiki/China_Gold_International_Resources) mining operations were detained, tortured and murdered.[[158][158]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-thetibetpost.com-158) Allegations of what the [PRC](http://en.wikipedia.org/wiki/PRC) officially labelled 'judicial mutilation' against Tibetans by the [Dalai Lama](http://en.wikipedia.org/wiki/Dalai_Lama)'s government, and the [serfdom controversy](http://en.wikipedia.org/wiki/Serfdom_in_Tibet_controversy), have been cited by the PRC as reasons to [interfere](http://en.wikipedia.org/wiki/Invasion_of_Tibet_(1950%E2%80%931951)) for what they claim was the welfare of Tibetans,[[159]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-159) although their claims of 'judicial mutilation' are controversial and subject to scepticism and dispute by foreign countries and international organisations. Conflicting reports about Tibetan human rights have been produced since then. The PRC claims that Tibet has been enjoying a cultural revival since the 1950s, whereas the Dalai Lama says 'whether intentionally or unintentionally, somewhere [cultural genocide](http://en.wikipedia.org/wiki/Cultural_genocide) is taking place'.[[160]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-160)[[161]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-161)

Following the [Chinese economic reform](http://en.wikipedia.org/wiki/Chinese_economic_reform), businesspeople from other parts of China have made many business trips to Tibet, although most do not stay in region. The [*New York Times*](http://en.wikipedia.org/wiki/New_York_Times) has cited this ethnic diversity in Tibet as a cause of "ethnic tensions". It has also disagreed significantly with the promotion by PRC authorities of [home ownership](http://en.wikipedia.org/wiki/Home_ownership) in [nomadic](http://en.wikipedia.org/wiki/Nomadic) Tibetan societies.[[162]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-cmm-162) Western politicians often level the charge that the [Tibetan languages](http://en.wikipedia.org/wiki/Tibetan_languages) are at risk of extinction in Tibet.[[163]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-163) Others, however, both inside and outside China and Tibet, claim that for a vast majority of Tibetans, who live in rural areas, the Chinese language is merely introduced as a second language in secondary school.[[164]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-164)

Economic and property rights[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=26)]

The [National People's Congress](http://en.wikipedia.org/wiki/National_People%27s_Congress) enacted a law in 2007 to protect private property, with the exception of land. Nevertheless, according to [Der Spiegel](http://en.wikipedia.org/wiki/Der_Spiegel" \o "Der Spiegel) magazine, local Chinese authorities have used brutal means to expropriate property, in a bid to profit from the construction boom.[[165]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-165)

HIV/AIDS and rights on sexuality[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=27)]

*See also:*[*HIV/AIDS in the People's Republic of China*](http://en.wikipedia.org/wiki/HIV/AIDS_in_the_People%27s_Republic_of_China)

In 2001, [homosexuality](http://en.wikipedia.org/wiki/Homosexuality) was removed from the official list of [mental illnesses in China](http://en.wikipedia.org/wiki/Mental_health_in_China).[[166]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-166) China recognizes neither [same-sex marriage](http://en.wikipedia.org/wiki/Same-sex_marriage) nor [civil unions](http://en.wikipedia.org/wiki/Civil_union).[[167]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-167)

Other human rights issues[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=28)]

*See also:*[*Nanjing anti-African protests*](http://en.wikipedia.org/wiki/Nanjing_anti-African_protests)

Workers' rights and privacy are contentious human rights issues in China. There have been several reports of core [International Labor Organization](http://en.wikipedia.org/wiki/International_Labor_Organization) conventions being denied to workers. One such report was released by the [International Labor Rights Fund](http://en.wikipedia.org/wiki/International_Labor_Rights_Fund) in October 2006; it documented minimum wage violations, long work hours, and inappropriate actions towards workers by management.[[168]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-168) Workers cannot form their own unions in the workplace; they may only join state-sanctioned ones. The extent to which these organizations can fight for the rights of Chinese workers is disputed.[[93]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-autogenerated4-93)

The policy toward refugees from [North Korea](http://en.wikipedia.org/wiki/North_Korea) is a recurring human rights issue. It is official policy to repatriate these refugees to North Korea, but the policy is not evenly enforced and a considerable number of them stay in the People's Republic. Though it is in contravention of international law to deport political refugees, as illegal immigrants their situation is precarious. Their rights are not always protected,[[169]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-169) and some are tricked into marriage or prostitution.[[170]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-170)

African students in China have complained about their treatment in China. Their complaints largely ignored until 1988–9, when 'students rose up in protest against what they called "Chinese apartheid'".[[171]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Robinson-171) African officials took notice of the issue, and the [Organization of African Unity](http://en.wikipedia.org/wiki/Organization_of_African_Unity) issued an official protest. The organization's chairman, President [Moussa Traoré](http://en.wikipedia.org/wiki/Moussa_Traor%C3%A9" \o "Moussa Traoré) of [Mali](http://en.wikipedia.org/wiki/Mali), went on a fact-finding mission to China.[[171]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Robinson-171) A 1989 report in [*Guardian*](http://en.wikipedia.org/wiki/The_Guardian) stated: 'these practices could threaten Peking's entire relationship with the continent.'[[172]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-Snow-172)

Position of the PRC government[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=29)]

The [Government of the People's Republic of China](http://en.wikipedia.org/wiki/Government_of_the_People%27s_Republic_of_China) has argued that its concept of '[Asian values](http://en.wikipedia.org/wiki/Asian_values)'[[173]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-173) requires that the welfare of the collective should always be put ahead of the rights of any individual whenever conflicts between these arise. Its position is that the government has the responsibility to design, implement and enforce a '[harmonious socialist society](http://en.wikipedia.org/wiki/Harmonious_Socialist_Society#Political_context)'[[174]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-174) and a '[People's Dictatorship](http://en.wikipedia.org/wiki/People%27s_Democratic_Dictatorship)'.

The People's Republic of China emphasizes state sovereignty, which at times conflicts with the international norms or standards of human rights. However, its concept of human rights has developed radically over the years. From 1949 to the late 1970s, the CPC focused on promoting the rights of the masses: collective rights rather than individual human rights. Deng Xiaoping went as far to say that the right of a nation, or sovereignty (*guoquan*) is more important than human rights (*renquan*), and right of subsistence (*shengcun quan*) is more fundamental than political freedom.[[175]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-175) However, from the beginning of economic reforms in 1978 to the 1989 Tiananmen incident and democratic movement, the CPC raised concerns for human rights in their domestic and international policies. In 1991, China officially accepted the idea that human rights were compatible with Chinese socialism, and in 1993 the state created the China Society for Human Rights Studies, which has represented Chinese positions on human rights in international forums, conferences, and media. China went on to sign two treaties - the [International Covenant on Economic, Social and Cultural Rights](http://en.wikipedia.org/wiki/International_Covenant_on_Economic,_Social_and_Cultural_Rights)(ICESCR) and the [International Covenant on Civil and Political Rights](http://en.wikipedia.org/wiki/International_Covenant_on_Civil_and_Political_Rights)(ICCPR) in 1997 and 1998, respectively. As of 2013, the PRC had signed more than 20 international treaties on human rights.[[176]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-176) However, in practice China still does not follow these standards. China has adopted measures that would uphold certain human rights policies within their socialist environment. The government still questions the international human rights norm, and emphasizes sovereignty over human rights. The PRC is concerned that Western states may be using the concepts of human rights and democracy to justify power politics.

The Communist Party of China and its affiliates state that in some cases it is necessary to force individuals to sacrifice their rights for what the Party sees as wider, more important requirements of their society. It claims that a strong, powerful, authoritarian government is required in order to regulate the 'potentially conflicting interests of the public'.[[*citation needed*](http://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] PRC official statements have argued that their principle of a [people's democratic dictatorship](http://en.wikipedia.org/wiki/People%27s_democratic_dictatorship) is an apt measure to enforce the compromises they deem necessary to counter these conflicting interests. Those who agree with this position believe that governments with constitutionally determined and restricted authority who grant their citizens [the degree of freedom and liberty](http://en.wikipedia.org/wiki/Human_rights) present in most free nations fail to take on the responsibility of regulating these conflicting interests. This position is highly controversial.

**Western human rights**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=30)]

Those who agree with the CPC[[*who?*](http://en.wikipedia.org/wiki/Wikipedia:Avoid_weasel_words)] point towards what they call rapid deterioration in Western societies, claiming that there has been an increase in geographic, religious and racial segregation, rising crime rates, family breakdown, industrial action, vandalism, and political extremism within Western societies. Western groups such as the [European Union](http://en.wikipedia.org/wiki/European_Union) and the United Nations claim to be stopping these types of human rights violations, save for a few violations committed by some western governments (e.g. the [CIA](http://en.wikipedia.org/wiki/CIA)'s [extraordinary rendition](http://en.wikipedia.org/wiki/Extraordinary_rendition) programme). The PRC holds the opinion, though, that many alleged negatives about democratic society are a direct result of an excess of individual freedom, saying that [too much freedom is dangerous](http://en.wikipedia.org/wiki/Chinese_skepticism_of_democracy).[[177]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-177) The government of the PRC holds that these actions in western nations are all violations of human rights. They say that these should be taken into account when assessing a country's human rights record. On occasion they have criticised the United States policies, especially the human rights reports published by its State Department. They cite the opinion that the United States, as well as the United Kingdom, has also violated human rights laws, for example during the invasion of Iraq.[[178]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-178) They refer as well to the CIA's [black sites](http://en.wikipedia.org/wiki/Black_site), used allegedly for [extrajudicial detention](http://en.wikipedia.org/wiki/Extrajudicial_detention), as well as its highly criticised extraordinary rendition programmes, whereby it allegedly transfers criminals from foreign territory to nations where they could be tortured—though the US government has denied facilitating any of these human rights violations, and British authorities have denied helping them. They respond to the CPC's accusations by reminding them that PRC administrative groups have been accused of operating [labour camps that violate human rights laws](http://en.wikipedia.org/wiki/Re-education_through_labour), although often sanctioned by official PRC laws. The Communist Party of China strongly denies operating [any labour camps or jails that violate](http://en.wikipedia.org/wiki/Black_Jails) the PRC's official laws, and counters that the [NSA](http://en.wikipedia.org/wiki/NSA) has been known to engage in [warrantless phone hacking and wiretapping](http://en.wikipedia.org/wiki/NSA_warrantless_surveillance_controversy) in the US and upon US citizens in other places.

**Chinese Definition**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=31)]

The PRC government repeats the often ambiguously and confusingly stated opinion that human rights should encompass what its officials have labelled as '[economic](http://en.wikipedia.org/wiki/Chinese_Economy" \o "Chinese Economy)[standards of living](http://en.wikipedia.org/wiki/Poverty) and measures of health and [economic prosperity](http://en.wikipedia.org/wiki/Wealth)'.[[2]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-xinhuanet_human_rights-2) It insists that as economic, cultural and political situations differ substantially between countries, a universal definition of [human rights](http://en.wikipedia.org/wiki/Universal_Declaration_of_Human_Rights) literally cannot apply internationally; these claims arguably contradict accusations that the US has violated human rights laws, since the Chinese claims are based on international definitions applied by non-governmental organisations such as Human Rights Watch and Reporters Without Borders.

**Measures Taken**[[edit](http://en.wikipedia.org/w/index.php?title=Human_rights_in_China&action=edit&section=32)]

In March 2003, an amendment was officially made to the [Constitution of the People's Republic of China](http://en.wikipedia.org/wiki/Constitution_of_the_People%27s_Republic_of_China), officially yet ambiguously stating that 'The State respects and preserves human rights.'[[179]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-179) In addition, China was dropped from a list of top ten human rights violators in the annual human rights report released by the U.S. State Department in 2008, though the report indicated that there were still widespread human rights-related issues in the PRC.[[180]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-180)

In 1988, the Chinese government began direct village elections to help maintain social and political order whilst facing rapid economic change. Elections now occur in about 650,000 villages across China, reaching 75% of the nation's 1.3 billion people, according to the Carter Center.[[181]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-181) In 2008, [Shenzhen](http://en.wikipedia.org/wiki/Shenzhen), which enjoys the highest per capita GDP in China, was selected for experimentation, and over 70% of the government officials on the district level are to be directly elected (as of 2008).[[182]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-182) However, in keeping with Communist Party philosophy, candidates must be selected from a pre-approved list.[[183]](http://en.wikipedia.org/wiki/Human_rights_in_the_People%27s_Republic_of_China#cite_note-183)

**http://en.wikipedia.org/wiki/Human\_rights\_in\_the\_People%27s\_Republic\_of\_China**